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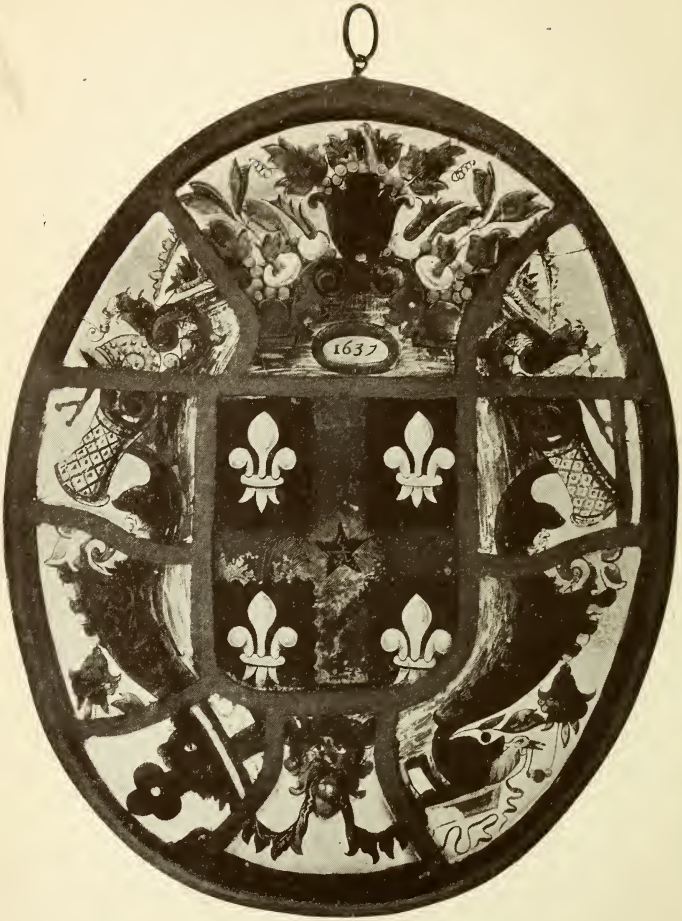
TRANSACTIONS OF THE HISTORIC SOCIETY OF LANCASHIRE AND CHESHIRE

VOL. LXI.



GLASS IN THE VESTRY OF BILLINGE CHURCH

(*See p.* 8)

TRANSACTIONS

OF THE

HISTORIC SOCIETY

OF

Lancashire and Cheshire

FOR THE YEAR 1909
VOLUME LXI
NEW SERIES—VOLUME XXV

LIVERPOOL
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1910

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COUNCIL AND OFFICERS FOR THE YEAR 1910.

President.

THE RIGHT HON. THE EARL OF DERBY, P.C., G.C.V.O., C.B.

Vice-Presidents.

THE REV. CANON STEWART, M.A.
JOHN PAUL RYLANDS, F.S.A.
R. D. RADCLIFFE, M.A., F.S.A.

Members of Council.

TO SERVE TO END OF 1910.

JOHN HARGREAVES.
HENRY PEET, F.S.A.
A. M. ROBINSON.
R. STEWART-BROWN, M.A.

TO SERVE TO END OF 1911.

THOMAS GOFFEY.
F. C. LARKIN.
LIEUT.-COL. PILKINGTON, F.S.A.
J. G. PRENTICE.

TO SERVE TO END OF 1912.

A. H. ARKLE.
LIEUT.-COL. FISHWICK, F.S.A.
W. F. IRVINE, M.A., F.S.A.
W. FORSHAW WILSON.

Hon. Treasurer.

F. C. BEAZLEY, F.S.A.

Hon. Librarian.

G. T. SHAW.

Hon. Assistant Librarian.

JAMES A. WAITE.

Hon. Secretary and Editor.

F. C. BEAZLEY, F.S.A.

Hon. Assistant Secretary.

JAMES A. WAITE.

Officers of the Society since Commencement.

Presidents.

1. Right Hon. Francis, 1st Earl of Ellesmere, Lord-Lieutenant of Lancashire 1848
2. Right Hon. Charles William, 3rd Earl of Sefton, Lord-Lieutenant of Lancashire 1854
3. General the Hon. Sir Edward Cust, K.C.H., D.C.L. 1855
4. Right Hon. William Ewart Gladstone, M.P. 1863
5. Joseph Mayer, F.S.A., &c. 1866
6. Rev. Canon Hume, D.C.L., LL.D., &c. 1869
7. The Very Rev. J. S. Howson, D.D., Dean of Chester . . . 1875
8. Thomas Glazebrook Rylands, F.S.A., &c. 1879
9. Right Rev. The Lord Bishop of Oxford, F.S.A. 1885
10. Right Rev. The Lord Bishop of Chester, D.D. 1889
11. Right Hon. Arthur, 16th Earl of Derby, K.G., G.C.B., Lord-Lieutenant of Lancashire 1903
12. Right Hon. Edward, 17th Earl of Derby, P.C., G.C.V.O., C.B. 1908

Secretaries.

1848.	Rev. A. Hume, LL.D., and H. C. Pidgeon.	
1851.	Rev. A. Hume, LL.D., and Rev. Thomas Moore, M.A.	
1854.	Rev. A. Hume, LL.D.	*Assistant Secretaries.*
1855.	Rev. A. Hume, LL.D.	Thomas G. Wedgwood.
1856.	Rev. A. Hume, LL.D.	W. W. Rundell.
1857.	Rev. A. Hume, LL.D.	J. H. Genn.
1864.	Nicholas Waterhouse.	J. H. Genn.
1867.	David Buxton.	Charles Dyall.
1875.	David Buxton.	[Arthur Wakefield.]
1876.	David Buxton.	Eugenio Londini.
1877.	C. T. Gatty, F.S.A.	Eugenio Londini.
1882.	C. T. Gatty, F.S.A.	T. N. Morton.
1884.	E. M. Hance, LL.B. and R. D. Radcliffe, M.A.	T. N. Morton.
1888.	R. D. Radcliffe, M.A., F.S.A.	T. N. Morton.
1892.	R. D. Radcliffe, M.A., F.S.A.	T. N. Morton. and W. F. Irvine.
1898.	R. D. Radcliffe, M.A., F.S.A.	W. F. Irvine. and Jas. A. Waite.
1903.	Wm. Fergusson Irvine, M.A., F.S.A.	Jas. A. Waite.
1910.	F. C. Beazley, F.S.A.	Jas. A. Waite.

Treasurers.

1848.	Thomas Avison, F.S.A.	1886.	H. D. Eshelby, F.S.A.
1860.	William Burke.	1898.	W. E. Gregson.
1867.	John G. Jacob.	1905.	F. C. Beazley, F.S.A.

	Librarians.	Curators.
1848.	Joseph Mayer, F.S.A.	Joseph Mayer, F.S.A.
1851.	Rev. Thomas Moore, M.A.	Joseph Mayer, F.S.A.
1859.	David Buxton.	A. C. Gibson, F.S.A.
1867.	Nicholas Waterhouse.	A. C. Gibson, F.S.A.
1869.	Nicholas Waterhouse.	H. Ecroyd Smith.
1871.	John R. Hughes.	H. Ecroyd Smith.
1875.	John R. Hughes.	J. Harris Gibson.
1876.	C. T. Gatty, F.S.A.	J. Harris Gibson.
1877.	E. M. Hance, LL.B.	J. Harris Gibson.
1880.	(*Offices in abeyance.*)	
1885.	W. Thompson Watkin.	J. Harris Gibson.
1886.	W. Thompson Watkin.	W. Forshaw Wilson.
1889.	George T. Shaw.	W. C. Ashby Pritt.
1889.	George T. Shaw.	Charles Potter.
1899.	George T. Shaw.	W. F. Price.

Assistant Librarian.

1910. James A. Waite.

List of Honorary Local Secretaries.

LANCASHIRE.

District.	Name.
Bacup	Rev. J. S. Doxey, Christ Church Vicarage, Bacup.
Blackburn	
Blackpool	The Rev. E. Lupton, Crystal Road, South Shore, Blackpool.
Burnley	W. Farrer, Hall Garth, Carnforth.
Carnforth	The Rev. W. B. Grenside, Melling Vicarage, Carnforth.
Clitheroe	A. J. Robinson, Clitheroe Castle, Clitheroe.
Colne	James Carr, Colne.
Denton	The Rev. A. Crofton, Reddish Green.
Haslingden	Henry Stephenson, Haslingden.
Hawkshead	Joseph Rawlinson, Ulverston.
Lancaster	
Leigh	W. D. Pink, Lowton.
Leyland	The Rev. W. Stuart White, Esh Vicarage, Durham.
Ormskirk	James Bromley, J.P., The Homestead, Lathom.
Prescot	
Rainford	The Rev. Canon J. Wright Williams, Farnworth.
Ribchester	
Rochdale	Lt.-Col. Fishwick, F.S.A., The Heights, Rochdale.
Sefton	W. E. Gregson, 43 Moor Lane, Great Crosby.
Southport	
Ulverston	
Warrington	Chas. Madeley, The Museum, Warrington.
Whalley and Pendle Hill	W. S. Weeks, Clitheroe.
Wigan	T. R. Ellis, 18 King Street, Wigan.
Winwick and Newton-le-Willows	Rev. J. Carson, Winwick, Newton-le-Willows.
Wray, near Lancaster	Rev. C. L. Reynolds, Wray Vicarage, Lancaster.

CHESHIRE.

Bebington	
Congleton	Robert Head, Congleton.
Holmes Chapel	Rev. H. G. Barnacle, Holmes Chapel.
Hoylake	Rev. Francis Sanders, M.A., F.S.A., Hoylake.
Hyde	Rev. J. F. Messenger, Newton Moor Vicarage, Hyde.
Malpas	
Nantwich	James Hall, Chester.
Northwich and Middlewich	Wm. Bancroft, Northwich.
Thurstaston	
Wallasey	
Wilmslow	George Pearson, Tythe House, Knutsford.

EDITORIAL NOTES

Index of Archæological Papers ceased publication after 1907.

Report of the Congress of Archæological Societies in Union with the Society of Antiquaries of London, held 7th July 1909, will be found at the end of the volume. The Society is indebted to Mr. W. H. Rylands, F.S.A., and to Messrs. Maggs Bros., of London, for the loan of blocks, as noted in the body of the volume.

The authors of Papers are alone responsible for the facts and opinions in their several communications.

The present volume has been prepared for the press by F. C. Beazley, F.S.A., Honorary Secretary and Editor.

N.B.—It is requested that notice be given to the Secretary of any errors, change of address, or death.

LIST OF MEMBERS.

(*Corrected to 1st January* 1910.)

The names of Life Members are printed in BLACK TYPE, and those of Resident Members have an asterisk attached.

DATE OF ELECTION.

1889. April 4 *Abraham, Miss E. C. Riverham, Grassendale Park, Liverpool.

1902. Jan. 16 *Abraham, T. Fell. 53 Bidston Road, Birkenhead.

1908. Mar. 5 *Accrington Public Library, Accrington. J. W. Singleton, Librarian.

1895. Nov. 7 *Allwood, T. Massey. Haslemere, Lathom, near Ormskirk.

1889. Jan. 10 *Alsop, J. W., B.A. 16 Bidston Road, Birkenhead.

1903. Jan. 15 *Arkle, A. H. Elmshurst, Oxton, Birkenhead.

1895. Feb. 7 Ashworth, Alfred. Horsley Hall, Gresford.

1888. Mar. 22 *Athenæum Library. Liverpool.

1909. Oct. 2 *Atkinson, Mrs. Hilda. 9 The Esplanade, Waterloo.

1899. Jan. 19 *Atkinson, W. J. A. Browside, Gateacre.

1907. Sept. 16 *Aubrey, F. E., L.D.S. 13 Upper Duke Street, Liverpool.

1890. Jan. 23 *Ayrton, William. 10 Dale Street, Liverpool.

1904. Jan. 14 *Bailey, F. W., M.R.C.S., L.R.C.P. 51 Grove Street, Liverpool.

1904. Jan. 14 *Bailey, R. T., M.R.C.S., L.R.C.P. 51 Grove Street, Liverpool.

1886. Nov. 18 *Banner, John S. Harmood, M.P. Aston Hall, Preston Brook, Cheshire.

1901. Nov. 7 *Barlow, W. H. 70 West Bank Road, Higher Tranmere, Birkenhead.

1907. Feb. 21 *Barrow-in-Furness, Library of. Charles W. Gabbatt, Librarian, Barrow-in-Furness.

DATE OF ELECTION.

1889. Mar. 7 *Bartlett, William. St. Clare House, West Derby, Liverpool.

1899. Feb. 16 *Beazley, Frank C., F.S.A. Fern-Hill, Oxton, Birkenhead. *Hon. Treasurer and Hon. Secretary.*

1896. Feb. 13 Beeston, Charles S. Tan-y-Coed, Ysceifiog, Holywell.

1891. Dec. 3 *Bell, Henry. Greenfield, West Kirby, Cheshire.

1864. Dec. 1 *Benas, B. L. 5 Prince's Avenue, Liverpool.

1904. Jan. 14 *Beswick, Hugh. 7 Sweeting Street, Liverpool.

1905. Nov. 2 *Bickerton, T. H., M.R.C.S. 88 Rodney Street, Liverpool.

1901. Nov. 7 *Bigland, Alfred. 84 Shrewsbury Road, Birkenhead.

1896. Jan. 16 *Birkenhead Free Public Library. Birkenhead.

1904. Dec. 15 *Birkenhead Young Men's Christian Association. Grange Road, Birkenhead. David Paterson, Hon. Librarian.

1889. Oct. 31 Birmingham Central Free Library. Ratcliff Place, Birmingham.

1870. April 7 *Blackburn Free Library. Blackburn.

1909. Nov. 11 *Blackledge, W. T., M.B., C.M. Edin. 2 Somerset Place, Liverpool.

1891. Feb. 5 *Bleckly, William Henry. Thelwall Lea, Warrington.

1888. Mar. 22 Bodleian library. Oxford.

1907. Jan. 5 *Bolton-le-Moors, Free Public Library of. Archibald Sparke, F.R.S.L., Librarian.

1890. Nov. 6 *Bootle Free Library. Oriel Road, Bootle.

1888. Mar. 22 Boston Athenæum. Boston, U.S.A.; c/o Messrs. Kegan Paul, Trench, Trübner and Co., 43 Gerrard Street, London, W.C.

1889. Jan. 10 Boston Public Library. Boston, U.S.A.; c/o Messrs. Kegan Paul, Trench, Trübner and Co.

1903. Dec. 17 *Boult, Cedric R. The Abbey Manor, West Kirby.

1881. Dec. 1 Bourne, Robert W. 18 Hereford Square, London, S.W.

1906. Mar. 1 *Briggs, James B. 55 Bidston Road, Oxton.

1891. Nov. 5 British Museum Library; c/o Messrs. Dulau and Co., 37 Soho Square, London, W.

1901. Nov. 7 *Bromilow, Henry John. Green Bank, Rainhill.

DATE OF ELECTION.

1876. April 20 *Bromley, James. The Homestead, Lathom, Ormskirk.

1904. Jan. 28 *Brunner, Sir John, Bart., P.C., M.P. Druids Cross, Wavertree.

1909. Jan. 21 *Burnett, Miss M. Edith. Devonshire House, Devonshire Park, Birkenhead.

1905. June 4 *Burrell, Donald D. Cerrig, Silverdale Road, Oxton.

1903. Dec. 3 *Butterworth, E. W. St. Colmes, West Kirby.

1885. Jan. 22 Caröe, W. D. 94 Cheyne Walk, Chelsea, S.W.

1897. Dec. 2 *Castle, Septimus. Park Lodge, Bidston.

1889. Feb. 21 *Caton, Richard, M.D. 78 Rodney Street, Liverpool.

1888. Dec. 13 **Chadwick, Edwin.** Mottram Road, Stalybridge.

1879. Jan. 9 Chetham Library. Manchester.

1893. Feb. 23 Chicago Public Library. Chicago, U.S.A. (Per B. F. Stevens & Brown, 4 Trafalgar Square, London, W.C.)

1900. Mar. 29 Chorley Free Public Library. Chorley.

1907. Nov. 15 *Coe, S. William. Jersey Cottage, Ingestre Road, Oxton.

1905. April 11 *Congress, Library of. Washington, U.S.A. (Per Edward G. Allen & Son, Ltd., King Edward Mansions, 14 Grape Street, Shaftesbury Avenue, London, W.C.)

1891. Nov. 5 *Cook, Edmund. Oakfield, Abergele.

1902. Nov. 6 *Coventry, Harold. 1 Hamilton Road, New Brighton.

1895. Dec. 5 Crook, John. 6 Waterloo Road, Birkdale.

1901. April 13 *Crosthwaite, Charles C. The Nook, Town Row, West Derby, Liverpool.

1906. Mar. 1 *Danson, F. C., F.S.A., 74 Bidston Road, Oxton.

1907. July 15 *Darwen Free Library. Joseph Pomfret, Librarian.

1906. Feb. 1 *Deacon, Stuart, LL.B. 7 Dudley Road, New Brighton.

1895. Nov. 7 De Hoghton, Sir James, Bart. Hoghton Tower, Preston.

1896. Dec. 3 Duffus, George, M.B. Normanhurst, Woking, Surrey.

1888. Feb. 9 *Earle, T. Algernon. Hartford, Cheshire.

1897. Nov. 4 *Ellis, John W., M.B., L.R.C.P. 18 Rodney Street, Liverpool.

DATE OF ELECTION.

1891. Jan. 22 Ellis, Thomas Ratcliffe. 18 King Street, Wigan.

1901. Feb. 14 *Ellsworth, W. S. Ingleside, Blundellsands, Liverpool.

1889. Oct. 31 Esdaile, George. The Old Rectory, Platt-in-Rusholme, Manchester.

1878. Jan. 10 Fairclough, John. Latchford Grange, Warrington.

1891. Mar. 5 *Farrer, William, Litt.D. Hall Garth, Carnforth.

1880. April 1 *Fishwick, Lieut.-Col. Henry, F.S.A. The Heights, Rochdale.

1891. Mar. 19 *Fletcher, Mrs. Alfred. Allerton, Liverpool.

1890. Nov. 6 *Formby, John. Formby Hall, Formby.

1891. Dec. 3 *Fox, John D. 27 Alton Road, Tuebrook, Liverpool.

1875. Jan. 7 **Garnett, William.** Quernmore Park, Lancaster.

1909. Nov. 11 *Gerrard, J. E., M.S.A. 37 Moorfields, Liverpool.

1909. Oct. 28 *Gilbert, John. 35 Kremlin Drive, Stoneycroft, Liverpool.

1907. April 22 *Gladstone, Henry Neville. Burton Manor, Cheshire.

1889. Feb. 21 *Gladstone, Robert. Harrington Street, Liverpool.

1902. Nov. 6 **Gladstone, Robert, Jun., B.C.L., M.A.** Woolton Vale, Liverpool.

1893. Nov. 2 *Goffey, Thomas. Amalfi, Blundellsands, Liverpool.

1897. Nov. 4 *Goodacre, William. Greetby Hill, Ormskirk.

1902. Nov. 6 *Golding, Alfred D. Litherland Park, Liverpool.

1900. Jan. 18 *Gorst, Herbert C. 42 Parkfield Road, Liverpool.

1854. Aug. 31 Grenside, Rev. Canon William Bent, M.A. Melling Vicarage, Carnforth.

1906. Feb. 14 *Hall, Lawrence. 6 Canning Street, Liverpool.

1909. June 14 *Hampshire, V. Astley. The Carrs, Graham Road, West Kirby.

1907. Mar. 21 *Hanmer, Henry H. Rostherne, Litherland Park, Liverpool.

1890. Nov. 6 *Hannay, A. M. 5 India Buildings, Water Street, Liverpool.

1883. Jan. 25 *Hargreaves, John. The Woodlands, Rock Ferry.

Date of Election.	
1908. Jan. 23	*Hargreaves, John, Jun. 64 Dacre Hill, Rock Ferry.
1901. Nov. 7	*Hesketh, C. H. B., M.A. The Rookery, North Meols, Southport.
1891. Nov. 5	*Holland, Walter. Carnatic Road, Mossley Hill, Liverpool.
1887. Mar. 24	Hutton, Wm. L. *Advertiser* Office, Ormskirk.
1891. Nov. 5	Ireland, National Library of; c/o Messrs. Hodges, Figgis & Co., Ltd., 104 Grafton Street, Dublin.
1890. Nov. 6	*Irvine, Wm. Fergusson, M.A., F.S.A. 56 Park Road South, Birkenhead.
1903. Jan. 15	*Jordan, Rev. Andrew. St. Mary's, Fleetwood.
1890. Nov. 6	Kent-Green, Mrs. Edward. Eaton Cottage, West Derby, Liverpool.
1900. Nov. 29	*Kirby, Edmund Bertram. Overdale, Oxton, Birkenhead.
1897. Nov. 4	Lancaster Free Public Library. Lancaster.
1901. Jan. 17	*Larkin, F. C., F.R.C.S. 54 Rodney Street, Liverpool.
1901. Jan. 17	*Lathom, The Earl of. Lathom House, Ormskirk.
1888. Nov. 29	Lawrence, William Frederick, M.A., Cowesfield House, Salisbury.
1889. Mar. 7	Leeds, Free Public Library of. Leeds.
1903. Dec. 17	*Legge, Charles J. 3 Grosvenor Place, Birkenhead.
1892. Feb. 25	*Lever, William Hesketh. Thornton Manor, Thornton Hough, Cheshire.
1889. Feb. 7	*Lister, Alfred Hamilton. Hillfoot, Breeze Hill, Bootle.
1904. Jan. 28	*Liverpool Free Library, Liverpool. (G. T. Shaw, Librarian.)
1902. Jan. 16	*Liverpool Library (Lyceum). Bold Street, Liverpool.
1899. Nov. 2	*Liverpool Reform Club. Liverpool.
1893. Nov. 2	*Livesey, John. Springwood Lodge, Aughton, Ormskirk.
1901. Feb. 1	*Lockett, R. Cyril. Clonterbrook, St. Anne's Road, Aigburth.
1889. Oct. 31	London, Library of the Corporation of. (Edward M. Borrajo, Librarian.) Guildhall, London, E.C.
1908. Feb. 20	*MacCormick, Rev. F., F.S.A. Scot. Wrockwardine Wood Rectory Wellington, Salop.

Date of Election.	
1887. Feb. 10	*Mackay, Professor, M.A., LL.D. The University, Liverpool.
1888. Mar. 22	Manchester Free Reference Library. King Street, Manchester.
1888. Mar. 22	*Manchester University; c/o J. E. Cornish, Ltd., 16 St. Anne's Square, Manchester.
1907. Sept. 16	*Marshall, F. E., M.B., Ch.B. 41 Greenbank Road, Sefton Park.
1905. Dec. 14	*Marshall, Isaac, M.A. Sarnesfield Court, Weobley, R.S.O.
1898. Jan. 20	*Mason, George Percival. 34 Castle Street, Liverpool.
1904. Mar. 25	*Mayer Free Library, Bebington. (John Harding, Librarian.)
1890. Nov. 6	*Meade-King, Richard R. Sandfield Park, West Derby.
1908. Nov. 12	*Morrell, Rev. Patrick, F.A., M.A. Burton Vicarage, Chester.
1899. Nov. 2	*Muir, J. R. B., M.A. 17 Willowbank Road, Birkenhead.
1907. April 22	*Neale, G. Hall. 41 Castle Street, Liverpool.
1908. Dec. 10	*Nelson, Philip, M.D. Beechwood, Beech Lane, Allerton.
1897. Mar. 25	New York, Public Library of. New York, U.S.A.; c/o B. F. Stevens & Brown, 4 Trafalgar Square, London, W.C.
1893. Feb. 9	*Newberry Library. Chicago, U.S.A. (Per B. F. Stevens & Brown, 4 Trafalgar Square, London.)
1909. Jan. 21	*Nickels, Lanyon. Chenoterie, Knocktorum.
1874. Dec. 10	Nicholson, Major Edward J. 16 Pulteney Street, Bath.
1905. Feb. 9	*Nowell, Samuel. 17 Rock Park, Rock Ferry.
1907. July 15	*Oldham Free Library. William H. Berry, Librarian.
1907. Oct. 10	*Ormerod, B. M. c/o N. Caine, Spital, Cheshire.
1907. Mar. 21	*Owen, Segar, F.R.I.B.A. Kelmscott, Appleton, Cheshire.
1889. Feb. 7	*Owen, William. Cairo Street Chambers, Warrington.
1901. Feb. 28	*Paget-Tomlinson, W. S., M.D. The Biggins, Kirkby Lonsdale.
1891. Dec. 17	*Parker, Colonel John W. R., F.S.A. Brownsholme Hall, Clitheroe.
1891. Feb. 5	Pearson, George. 19 Marsden Sq., Manchester.

DATE OF ELECTION.

1907. July 15 *Peel Park Museum, Salford. (B. H. Mullen, M.A., Librarian.)

1890. Nov. 6 *Peet, Henry, F.S.A. Manor Cottage, 3 Cavendish Road, Birkenhead.

1894. Nov. 1 *Phipps, S. W. Holme Lea, Mount Road, New Brighton.

1890. Dec. 18 Pilkington, Sir George A., Knt. Belle Vue, Lord Street West, Southport.

1886. Nov. 18 *Pilkington, Lieut.-Col. John, F.S.A. Sandown Lane, Wavertree.

1900. Mar. 15 *Platt, Miss Edith M., M.A. Standish House, Ivanhoe Road, Liverpool.

1898. Feb. 3 *Poole, Miss M. Ellen. Alsager, Cheshire.

1890. Feb. 20 *Prentice, John George. 56 Bidston Road, Birkenhead.

1892. Feb. 11 *Price, William F. Fron Haul, Bodfari, Trefnant, S.O.

1907. May 24 *Procter, Rev. W. G. Rufford Rectory, Ormskirk.

1889. Feb. 21 *Quiggin, John M. 8 Harrington Street, Liverpool.

1888. Feb. 9 *Radcliffe, Frederick M. 9 Cook Street, Liverpool.

1879. Jan. 8 *Radcliffe, Richard Duncan, M.A., F.S.A. Old Swan, Liverpool. *Vice-President.*

1892. Nov. 3 Radclyffe, C. R. Eustace. The Hyde, Wareham, Dorset.

1891. Feb. 5 Reynolds, Rev. Charles L., M.A. Wray Vicarage, Lancaster.

1890. Nov. 6 *Robinson, Arthur Muschamp. Lorne Road, Oxton, Birkenhead.

1901. April 13 *Rochdale Free Public Library. Rochdale.

1903. Dec. 3 *Royden, E. B. Blyth Lodge, Bromborough.

1889. Oct. 31 *Royds, Col. Sir Clement Molyneux, C.B. Greenhill, Rochdale.

1901. Nov. 7 **Rundell, Towson W.** 25 Castle Street, Liverpool.

1870. Nov. 3 *Rylands, John Paul, F.S.A. 96 Bidston Road, Birkenhead. *Vice-President.*

1874. Dec. 10 *Rylands, William Harry, F.S.A. 1 Campden Hill Place, Notting Hill, London, W.

1888. Mar. 22 *St. Helens Free Public Library. St. Helens.

1888. Nov. 15 **Sandeman, Lieut.-Col. John Glas, M.V.O.,** Sub-Officer H.M. Hon. Corps of Gentlemen at Arms. Whin-Hurst, Hayling Island, Havant.

Date of Election.	
1891. Nov. 19	Sanders, Rev. Francis, M.A., F.S.A. Hoylake Vicarage, Cheshire.
1898. Feb. 3	*Scarisbrick, Sir Charles, Knt. Scarisbrick, Southport.
1909. Oct. 28	*Scholefield, H. E. Victoria Road, Wavertree.
1894. Nov. 1	*Scott, David. 10 North John Street, Liverpool.
1897. Nov. 18	Smith, Bernard. Church Road, Rainford.
1892. Nov. 3	*Smith, Rev. Frederick. Island Road, Garston.
1897. Jan. 28	Southport (Atkinson) Free Public Library.
1891. Feb. 5	*Stapleton-Bretherton, Frederick. Heathfield House, Fareham, Hants.
1899. April 13	*Starkie, Colonel Edmund A. Le Gendre. Huntroyde, Burnley.
1876. April 6	*Stewart, Rev. Alexander, M.A. 29 Sandon Street, Liverpool. *Vice-President.*
1905. Feb. 23	*Stewart-Brown, R., M.A. Fairoaks, Bromborough.
1906. Feb. 15	*Stone, Park N. The Moorings, Neston.
1891. Nov. 5	*Stonyhurst College, Rev. the Rector of, S.J. Blackburn.
1907. Mar. 21	*Tate, George. Windsor Buildings, George Street, Liverpool.
1889. April 4	Taylor, Henry. Braeside, Rusthall, Tunbridge Wells.
1887. Feb. 10	**Tempest, Mrs. Arthur Cecil.** Broughton Hall, Skipton-in-Craven.
1903. Feb. 26	*Ten Bosch, John M. 13 Abercromby Square, Liverpool.
1903. Jan. 15	*Thicknesse, Philip C. 2 East Albert Road, Liverpool.
1889. Feb. 21	*Thompson, Edward P. Whitchurch, Salop.
1906. Feb. 1	*Thompson, J. T. 9 Chetwynd Road, Oxton.
1890. Nov. 6	*Tonge, William Asheton. Disley, Cheshire.
1908. Aug. 22	*Toronto Public Library. Toronto, Canada.
1888. Feb. 23	*Toulmin & Sons, George. *Lancashire Daily Post* Office, Preston.
1889. Oct. 31	*Turton, Fletcher Thomas. Municipal Buildings, Liverpool.
1903. Mar. 12	*Victoria and Albert Museum Library. South Kensington, London, S.W. (Per Board of Education, Storekeeper's Department, South Kensington.)
1894. Nov. 29	*Vyner, Robert C. de Grey. Newby Hall, Ripon.
1889. Oct. 31	*Wainwright, Thos. T. 13 Union Court, Liverpool.

DATE OF ELECTION.

1907. June 5 *Wallasey, Public Library of. Liscard, Cheshire. (Ernest A. Savage, Librarian.)

1909. Oct. 28 *Walmsley, Mrs. Ethel. 4 Princesgate West, Liverpool.

1894. April 5 *Warburton, Rev. William. 45 Church Street, Egremont.

1892. Nov. 3 Warrington Museum. Charles Madeley, Esq., Secretary, Warrington.

1903. Feb. 12 **Watt, Miss.** Speke Hall, Garston.

1897. Nov. 4 **Wearing, J. W., M.A.** Fleet Sq., Lancaster.

1904. June 11 *Webb, Walter Henry. 2 Boundary Road, Bidston.

1849. Feb. 1 *Webster, George. Overchurch Hill, Upton, Birkenhead.

1891. Mar. 5 Weeks, W. Self. Church Brow, Clitheroe.

1888. Dec. 13 **Weldon, William Henry,** *Norroy King of Arms*. College of Arms, London, E.C.

1856. Jan. 3 **Welton, Thomas A.** Ixworth Court, Stanhope Road, Highgate, N.

1901. Nov. 7 *Whatham, W. R. 24 Sir Thomas Street, Liverpool.

1891. Feb. 5 White, Rev. W. Stuart, M.A. Healey Vicarage, Rochdale.

1889. Jan. 10 *Wigan Free Library, Wigan.

1906. Mar. 31 *Wilkinson, W. The Limes, Victoria Park, Manchester.

1907. Sept. 16 *Williams, E. Butler. 73 Hartington Road, Sefton Park.

1907. Oct. 10 Williams, R. Warner. 4 Charlesville, Birkenhead.

1892. Dec. 15 Williams, Rev. Canon J. Wright, M.A. Farnworth Vicarage, Widnes.

1885. Nov. 26 *Wilson, W. Forshaw. 50 Cable Road, Hoylake.

1905. Mar. 9 *Withers, R. E. M. 13 Haymans Green, West Derby.

1907. Nov. 28 *Wolfgang, Arthur. 11 Allcott Avenue, Higher Tranmere.

1904. Jan. 28 *Wolstenholme, Chas. M. 71 Park Road South, Birkenhead.

1865. Dec. 7 **Wood, Richard Henry, F.S.A., F.R.G.S.** Belmont, Sidmouth, S. Devon.

1891. Nov. 19 **Woodhouse, Miss E. D.** Burghill Court, Hereford.

DATE OF ELECTION.

1909. Feb. 12 *Woods, E. C., L.D.S. (Eng.). 76 Mount Pleasant, Liverpool.

1892. Nov. 3 *Worsley, Philip J. Rodney Lodge, Clifton, Bristol.

ASSOCIATE MEMBERS.

1905. May 8 Brownbill, John, M.A. 11 Princess Terrace, Ball's Road, Birkenhead.

1893. Nov. 30 Dolan, Dom Gilbert, O.S.B. St. Benedict's, Ealing, London, W.

1888. Mar. 8 Shaw, George Thomas. Chief Librarian, Liverpool Free Public Library, Liverpool. *Hon. Librarian.*

1894. Nov. 1 Waite, James A. 6 Fairfield Street, Fairfield, Liverpool. *Hon. Assistant Secretary.*

HONORARY MEMBERS.

1870. Sept. 13 Avebury, Lord, F.R.S., F.S.A. High Elms, Hayes, Beckenham, Kent.

1875. Jan. 7 Coughtrey, Millen. London Street, Otago, New Zealand.

1870. Sept. 13 Hooker, Sir Joseph Dalton, C.B. The Camp, Sunningdale, Berkshire.

LIST OF SOCIETIES IN CORRESPONDENCE WITH THE HISTORIC SOCIETY OF LANCASHIRE AND CHESHIRE.

Society of Antiquaries of London.

Society of Antiquaries of Scotland.

Royal Historical and Archæological Society of Ireland.

Royal Archæological Institute, London.

Society of Antiquaries of Newcastle-on-Tyne.

Kent Archæological Society.

Somersetshire Archæological Society.

Sussex Archæological Society.

Chester Archæological Society.

Cumberland and Westmorland Antiquarian Society.

Leicestershire Archæological Society.

Yorkshire Antiquarian and Topographical Association.

Shropshire Archæological Society.

Architectural and Archæological Society of Lincoln and Notts.

Manchester Literary Club.

Suffolk Archæological Institute.

New England Genealogical Society.

County Kildare Archæological Society.

Thoresby Society, Leeds.

ERRATUM

Page 41, line 12, *for* 'Thomas Stanley' *read* 'John Stanley.'

TRANSACTIONS

SOME NOTES ON BILLINGE

By the Rev. W. A. Wickham, Vicar of St. Andrews', Wigan

Read 25th November 1909

FOR more than a thousand years, in all probability, Billinge has stood upon its pleasant uplands. It seems to have taken its name from, and to have been the first English settlement of, a family of Anglo-Saxon nobles, whose earliest records are said to be "mythological rather than historical." The first undoubtedly historical Billing died in A.D. 967 (Isaac Taylor, *Words and Places*, p. 129, note 1). For long centuries after that, when the scattered farmer-folk of Billinge looked out from their vantage ground over the wide extent of lower country which lay between them and Rivington Pike, they saw, when the day was clear enough, in the middle distance the borough of Wigan, with its church standing in its midst. That far-away church was their parish church, to which their children had to be taken for baptism and their dead for burial. Thither, also, they had to travel for all the other ordinances of the Church. Billinge was then part and parcel of the vast parish of Wigan, and then, as now, sometimes within the reach of the wind-borne sound of its beautiful bells. But the very

sweetness of that quiet bell-music, on the rare occasions when it could be heard, told the people afresh how far away from them was their House of God.

In the earlier half of the fifteenth century the population of Billinge had probably increased. At any rate, in some year soon after 1534[1] the need was felt of a chapel here.[2] None but the strongest could regularly travel the four or five miles to Wigan for divine service. And so, with the due permission of the then Rector of Wigan (Richard Kyghley, 1534–43), and "for the ease of the people then adjoyninge," a chapel was built at the cost of the inhabitants, "as well gentylmen as others the yeomen and comonaltie," and their well-disposed neighbours. This chapel was probably a small one,[3] similar to that built, *e.g.*, at Rivington, or at Langho, about the same time. It is doubtful if it ever was consecrated. At any rate Bishop Bridge-

[1] The date of the Valor Ecclesiasticus of King Henry VIII., in which Billinge Chapel is not mentioned, as it would have been had it been in existence.

[2] A somewhat similar case was that of Rossendale, in the parish of Clitheroe, but twelve miles away from the parish church, the way between being "very foule, painfull and Hillous, and the country in the winter season is so extreamly and vehemently cold, that the Children and young Infants in that time of the year, being borne to the Church to be Christened are in great peril of their lives and almost starved with cold; the aged and impotent persons, and women great with child, are not able to travail so far to hear the word of God . . . and the dead corpses there like to Lye and remain unburied, at such time as any that doth die and depart this world, for lack of carriage, untill such time as great annoyance do grow to the King's subjects there . . . and whereas also, before this time the Inhabitants of the said forrest, about the space of 38 years past or thereabouts [*i.e.* in 1511—the chapel was rebuilt in 1560] at their own proper costs and charges, made a Chapel of Ease . . . [and provided] an honest minister. . . . Also the said Chapel and the said minister hath been sustained and maintained by and with the good devotions and charitable rewards of the well-disposed Inhabitants . . . and every of the said Inhabitants have given several sums of money some more, some less—some money, some chattell, and some of 'em such other gifts and rewards as hath been meet, &c." Decree of Chancellor of Duchy of Lancaster, 4th year of Edward VI. Qu. Newbigging, *History of Forest of Rossendale*, p. 114.

[3] There is no trace of any dedication. The restored church is now dedicated to St. Aidan.

man in 1625 records in the Wigan Ledger (fol. 103) that after looking over the deeds he does not find that the chapel was ever consecrated, but thinks that the reader had only some toleration allowed him to read there. It is interesting to note that in the action in the Court of Common Pleas at Lancaster in 1765 (see *postea*), the feoffees contended that the chapel was never consecrated. On the other hand, the Bishop and Rector contended that, since the Curates of Billinge had always been licensed by the Bishop, and the Sacraments always administered, the Act of Consecration may well be presumed. (See *Brief for Defendants*, pp. 6 and 7, preserved in Parish Chest.) The chapel was probably but poorly furnished, for when in 1552 the King's Commissioners visited it, they found, of things which could be plundered, only "j littil belle," though of course it is quite possible, indeed not at all unlikely, that other things may have been previously removed. This chapel was placed upon "a certain parcel of waste ground." Where was this? The presumption has been that the old chapel stood upon the site of the present one. This was considerably strengthened by the careful orientation (2° 5′ S. of E.) of the latter. But in the course of the recent restoration a discovery was made which goes far to prove that the present church was built on the site of the old one. It was found that the nave space was covered with graves, placed east and west. Now it is practically certain that those graves were made before the old oak seats were put into the church in 1718. Hence there was, at least, a graveyard here before that date. Corroborative evidence of this is afforded by the fact that just outside the western door there is a gravestone dated 1713, five years before the building of the church. Moreover, in the action of 1765 (see *postea*) the plaintiffs spoke of "the

Chapel of Billinge afores[d], and also a Certain parcel of Land thereto adjoining Called the Chapel yard, now are and immemorially have been an ancient Chapel and Chapel yard"; and the defendants said that the ancient chapel was in 1717 and 1718 "pulled down, and the present Chapel Built upon the Scite thereof by Contribution." Putting, then, everything together, we may feel sure that the present church was built upon the site of the earlier chapel, and that the Billinge people have worshipped God upon this very spot for close upon 370 years.

The building of the original chapel is of great interest as being the first attempt (with the possible exception of Up-Holland Priory in the fourteenth century) at church extension in the great parish of Wigan. And it seems to have been made rather by the Billinge people themselves than by outsiders, though outsiders helped. The effort was made, moreover, at a time of great religious unrest. Local difficulties seem to have arisen soon after the building of the chapel. Even then the Billinge people seem to have been, what at the recent Consecration the Bishop told them they are now, "sturdy, independent, clannish, who never did anything by halves," though the root *bil* in their name "signifies gentleness" (Taylor, *loc. cit.*). When the chapel was built they "found one preest att their own proper costs and charges to say and sing Mass, Matens, and oyr devyne Service and to minister the Sacraments." The congregation numbered about 200. But there were some turbulent spirits amongst them, and the first curate had anything but a bed of roses. In 1539–40 he had to bring an action against James Roby, the churchwarden, and others. The churchwarden had collected £7 from the worshippers, and handed it over to one Wm. Heyton, Esq., who wrongfully detained it,

and there seems for a time to have been no service "for lake of payment of ye p'st's wages ministrynge."[1]

Later on, again, the same persons were sued for detaining money collected for the repairing of the ways to Billinge Chapel.

But much worse was to come a dozen years later, at the beginning of Queen Mary's reign. When the chapel was built, England was still under the Roman obedience. But warning of what was coming had already been loudly given in the dissolution of the neighbouring Priory at Up-Holland in 1536. When Edward VI. came to the throne in 1547 great changes ensued, and these would, doubtless, be more or less felt in the little out-of-the-way chapel at Billinge. But when Edward died and Mary succeeded in 1553, there was change back again, and some of the Billinge people did not approve of it, and these malcontents showed their disapproval in an outrageous way. Their leader was a turbulent and militant "Protestant" named James Wynstandley of Windstandley, who may have been the then squire, and he, with some twenty others (unnamed), to show his contempt for the Queen's proclamation restoring the Roman religion, broke into the chapel, stole everything which was worth stealing, including the newly-provided vestments, chalice and patten, &c. &c., turned out the seats, took the glass out of the windows, and stopped them up with boughs of trees, and then turned the place into a barn and filled it with his corn and hay; in this way effectually stopping for a time the holding of any service whatsoever. This high-handed but irreligious reformer had to be taken into the Law Courts, where, no doubt, he duly learnt his lesson, though of this there is no record. The building would, no doubt, soon

[1] *Cf.* Bridgeman, *History of the Church and Manor of Wigan*, for some of this earlier information. He gives sundry documents.

be fitted again for service, though of this also we are not told.

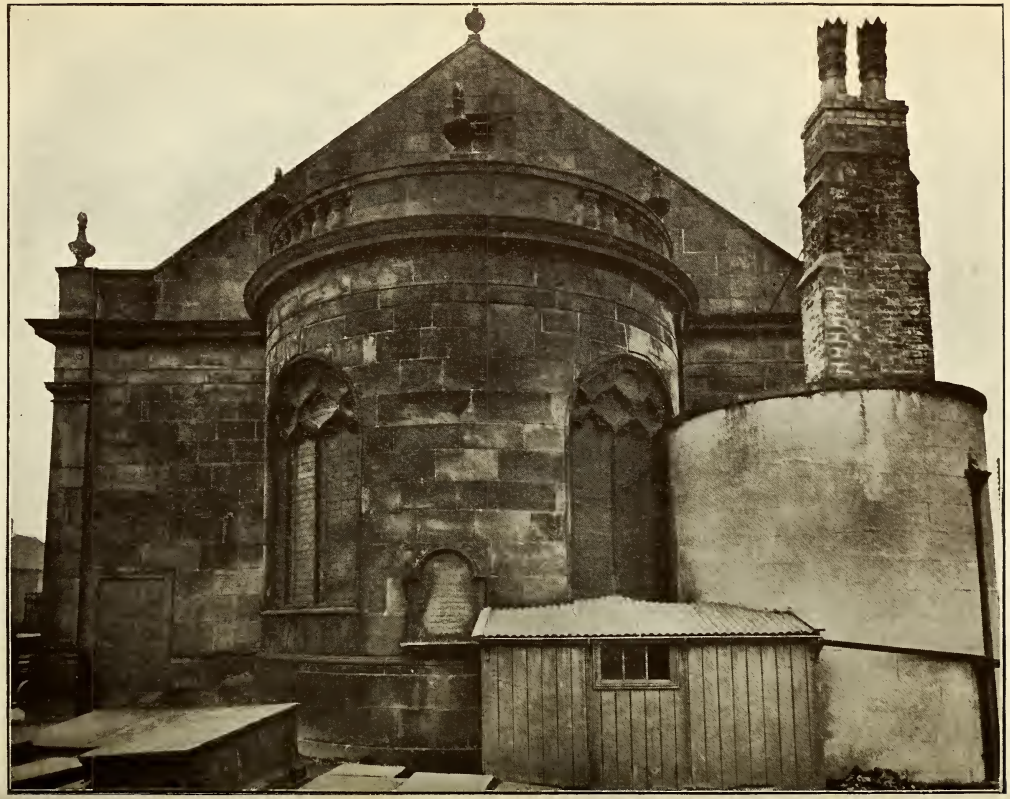
Forty-five years later (1598) Queen Elizabeth had nearly finished her reign. Popery had gone never to return, and the Reformed state of things had been established some forty years. But church matters at Billinge could scarcely be described as very satisfactory. Most of the gentry seem to have been inclined to the Roman religion. The chapel was out of repair; there were no books save one large Bible; the legal fines for absence from church were not levied, neither was the poor rate collected. Warning was, indeed, generally given of the Celebration of the Holy Communion, but very few received it thrice yearly. Those who did could not say their Catechism; indeed many could not even say the Creed, the Lord's Prayer, and Ten Commandments. The curate was "no minister," but only a "reader," *i.e.* either a layman, or a priest unlicensed to preach. Whether this sad state of things was mended we cannot say, but for sixteen years, during the greater part of the reign of James I., the services were still conducted by the same "Reader" Bolton (1609–25),[1] which is scarcely hopeful. Yet a small endowment was provided about 1614, and the chapel seems to have been enlarged about this time, for in a deed quoted in *Brief for Defendants*, p. 4 (see *postea*), a proviso is contained that certain persons shall continue to "Hold their Seats and Forms in the New Out Heiling[2]

[1] In the Wigan Marriage Register of 1610 there occurs this entry: "William Boulton Reader at billing and his wyfe [*sic*, no name], June 11."

Canon Bridgeman, following Raines, calls him Richard (*op. cit.* 273).

[2] This word is also spelt "outeling." In the Liverpool Church Records the word "outaisle" occurs in 1697 (Peet, *Inventory*, p. 105), when the north aisle was added to the old St. Nicholas' Chapel. But in spite of the fact that "outheiling" and "outaisle" are evidently synonymous, Mr. A. L. Mayhew, of Oxford, is of opinion that there is no etymological connection between them. He believes that

BILLINGE CHURCH FROM SOUTH-WEST



BILLINGE CHURCH. EAST END BEFORE RESTORATION

adjoining to the South side of the Chapel. . . ." The date of the deed is 1603. In 1625 Bishop Bridgeman, who was also Rector of Wigan, who did much to raise the status of the parochial clergy, sent his curate, Tempest, to take the service at Billinge, and the trustees of the chapel refused his ministrations. But before the week was out they were on their knees before the bishop at Wigan, and Mr. Tempest went on with his work amongst them.

In the vestry is preserved a little painted glass, bearing the date 1637. It was taken from one of the windows at the recent restoration. It consists of a shield of arms, surrounded by arabesques and flowers. The arms are apparently those of a member of the Bankes family;[1] this glass is probably evidence rather of the squire's idea of the importance of his family than of zeal for the House of God; and yet that it was put into the church then seems to tell us that it was by no means a neglected place on the eve of the great change.

Then came the Great Rebellion, when the Nonconformists got the upper hand, and the bishop and clergy were turned out of their charges and most cruelly harried. Billinge suffered like other places, though it was proposed to make of it a separate parish. Of those dark days we will say no more than that they came to an end in 1662, when the intruded Puritan minister[2] was ejected, and the church services were restored.

"heiling" or "eling" means a roofing or covering, and is the same word as "heling" (see Murray, *New English Dictionary*, spelt also "healing").

[1] Though the cross is engrailed instead of plain (Bankes). The coat of Ashhurst of Ashhurst is like that shown in the Billinge glass, but the tincture of the field is gules, and not sable. The mullet for difference in the centre of the cross should denote a third son. We may note that one Ellen Ashhurst of Billinge, widow, had a will proved at Chester in 1640.

[2] The intruded minister was John Wright, described by his party as "a very honest, godly minister and of good lyffe and conversacon." For his pay he received from the intruded minister of Wigan £50.

Of the state of things between then and the rebuilding of the chapel in 1718 we have but little account.

In his list of the curates and incumbents of Billinge, Canon Bridgeman (*History of Church and Manor of Wigan*, p. 757), gives

> 1646–1662. John Wright, minister of Billinge.
> . . . Goulburn.
> 1685–1699. Humphrey Tudor.

But in Roger Lowe's *Diary* (1663–1678) there are several references to a Mr. John Blakeburne, who was taking the services at Billinge Chappell. He heard him there on Feb. 3 and Nov. 5, 1665, and on June 3, 1666, "lords day I went to Billinge Chappel to hear Mr. Blakeburne and he was glad to see me recovered, he tooke me into Humphrey Cowlays and spent 6^{d} on me and then I walked downe to Blackley hurst and so parted."

He heard him again at Billinge Chappel on Aug. 3. On Oct. 13 he "went . . . to the ffuneral of old Mr. Bankes of Winstanley who was interred at Wiggan. Mr. Blakeburne preached." He heard him again at Billinge on Dec. 2, "it was a cold day and at noone Humphry Cowlys house was so thronged that we could not ataine a fire to sit by but we sacrificed ourselves ore the twopenny flagon in a cold chamber, att noone there was Henry Birchall with us the younger, we had each of us a messe of pottage, we spent 3^{d} a piece."

The next entry in the printed *Diary* is "Dec. 15. Saturday. I went to the dolefull funerall of the reverend Mr. John Blakeburne at Winwick. Mr. Potter [the curate] preached in a very patheticall maner . . . he in the close of his sermon spoke

Also a donation, given [about 1614] by Thomas Billing, of 46 shillings 8d. per ann., and likewise £4 per annum, a donative given by the inhabitants of Billinge and Winstanley.

excellentlie truly tho' mournfullie in comendation of Mr. John and indeed the neighbourhood sustain great losse by his death."

This Mr. John Blakeburne was living at Blackley Hurst, and he seems to have had spiritual charge of Billinge at this time. Mr. J. Brownbill informs me that he matriculated at B.N.C., Oxford, in 1640 (aged 18), a year after his elder brother Thomas. He proceeded B.D. in 1662. His brother had taken the same degree in 1661, lived at Blackley Hurst, and was buried at Winwick in 1664 (Feb. 9), aged 43. John was buried, as Lowe relates, at Winwick in 1666 (Dec. 15), aged 44. Mr. Brownbill adds: "I think the Blackburnes would be clergymen and conformists, judging by the time when they took the B.D. degree, but *nonconformists* were sometimes allowed to preach the funeral sermon of a deceased friend. I think you will find several instances of this (*e.g.* the Rector of North Meols)."

But Bishop George Hall, then Rector of Wigan, was scarcely the man to allow a Nonconformist to occupy his pulpit, still less to act as his curate at Billinge. In the Winwick Register John Blakeborne is styled "*Mr.*," as is also his brother Thomas. In the same register Richard Sherlock has no handle before his name, but is styled "Doctor of Divinity and Rector of Winwick."

No information respecting John Blakeburne can be obtained from the Chester Registry. "Chester Records are practically a blank from 1661 to 1668." His brother Thomas was incumbent of Rivington. He was ordained by the Bishop of Chester (Bridgeman) in 1644 or 1645, and was of Royalist leanings. He was ejected from Rivington in 1647, but in 1650 was incumbent of Newton in the Hundred of West Derby, and was described in the Church Survey as a "godly preaching minister, and supplieth the

cure diligently upon the Lords Dayes." He "did not keep the Fast (Thursday, June 13, 1650), and did come into the said place by ye consent of the whole chapelrie." Cf. *Record Society*, vol. i. p. 48; vol. xv. p. 30; *Chetham Society*, N.S., vol. xli. pp. 213–14; also vols. xxxvi. and xli. (*Minutes of* the *Bury Presbyterian Classics*, 1647–57); Walker, *Sufferings of Clergy*, pp. 40, 413.

During the recent restoration one thing came to light, which would lead us to suppose that Billinge shared to some extent in the revival of, at any rate, external religion, which took place in the latter half of the seventeenth century. When the old oak pews were taken to pieces, it was found that the carpenters of 1718 had used up, when they could, some oak work of earlier date, and this was probably 1687 (James II.), which was found cut upon some of it, so that in all probability something had been done in that year to make the old chapel more comely and convenient. This is but a straw, but it may show which way the stream was flowing.

Now we come to the rebuilding of the chapel in 1718, during the long incumbency[1] of Humphrey Walley (1708–1749). Francis Gastrell, of *Notitia* fame, was Bishop of the Diocese (1714–25), and the Rector of Wigan was Samuel Aldersley (1714–41), in whose time various works were executed in Wigan Parish Church. George I. was King. Convocation had just been finally silenced, and, with the accession of what the Dissenting historian Calamy calls the "amiable and illustrious House of Hanover," a period of spiritual torpor set in, which is probably without equal in the history of the English Church. Billinge Church was rebuilt at

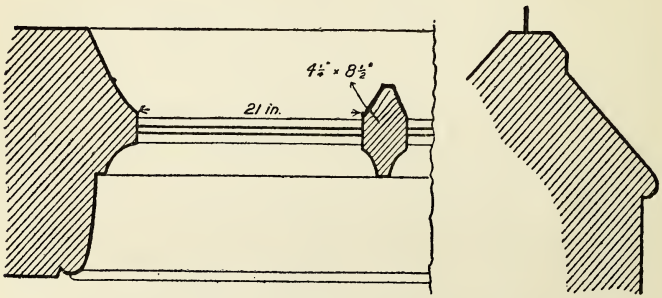
[1] Many of the other incumbents also stayed long—*e.g.* Rd. Carr, 1776–1813; Samuel Hall, 1813–33; John Bromilow, 1833–53; and, longest of all, the revered Canon Howard St. George, 1853–98.

the beginning of this sad period, and whilst the energy of the foregoing time was as yet unexpended. A little earlier there had been a good deal of church building in the diocese as well as elsewhere, *e.g.* Liverpool, St. Peter (1704); Warrington, Holy Trinity (1709); Manchester, St. Ann (1712); Ashton, St. Thomas (1714 rebuilt). Prescot Tower was built in 1729, and Lowton Church in 1732. Sefton reredos was made in 1730. The work at Billinge compares most favourably with any that was done elsewhere in the neighbourhood at this period. In fact there is nothing which will really compare with it. It is unique. The building speaks for itself, and it tells us that the work was certainly the result of zeal for the House of God. Those who built it desired to build well, and to build a thing of beauty. They evidently gave of their best. There is no record of the name of the architect.

The church is of a mixed style of architecture. Generally, it belongs to the Renaissance, and, more particularly, to the Roman Doric, though there is a touch of Corinthian in the fluted pilasters within the apse.[1] It is an oblong building, measuring internally about 57 feet by 37 feet. The west front rather reminds one, *longo intervallo*, of the west front of the Duomo at Rimini. At the east end is a small apse lighted by two windows at the side, but without an east window. The parapet round this apse is broken by several sets of balusters. The south side (as well as the north) is divided into four bays by pilasters, in which the entasis is very apparent. The simple mouldings also are carefully and correctly designed. The work is quite as good in its way as the chapel of Queen's College, Oxford, built about the same time by Sir Christopher Wren. The Doric details are very similar, but at Queen's there is nothing else

[1] This description was written before the recent restoration.

but Doric. In each bay is an ordinary round-headed window of the period with keystone. But within



Section of Jamb and Base of Window (not to scale)

the window opening the architect has introduced mullions—thus making the window three light—and tracery which is a distinct reminiscence (though again *longo intervallo*) of the beautiful reticulated tracery of the Decorated period, such as may be seen in great perfection at Up-Holland, three miles away.

The pilasters are connected at the bottom by a plain base, and at the top by an entablature with well-moulded cornice, above which again comes an embattled parapet, such as might very well have been built in the Perpendicular period, except that urns have taken the place of pinnacles. There is also a quasi-Perpendicular window in the west front over the door. This mixture of Classical and Gothic is very noteworthy, and the recurrence of Gothic forms, many years after Gothic was generally disused, and many years also before it began again to be in vogue, gives Billinge Church considerable architectural interest.

The building much reminds one of work done many years earlier, when the struggle between Gothic and Renaissance was still going on (*cf.* Gotch, *Early Renaissance in England*). Only then

BILLINGE CHURCH. SOUTH SIDE

BILLINGE CHURCH. OAK ALTAR TABLE, 1718

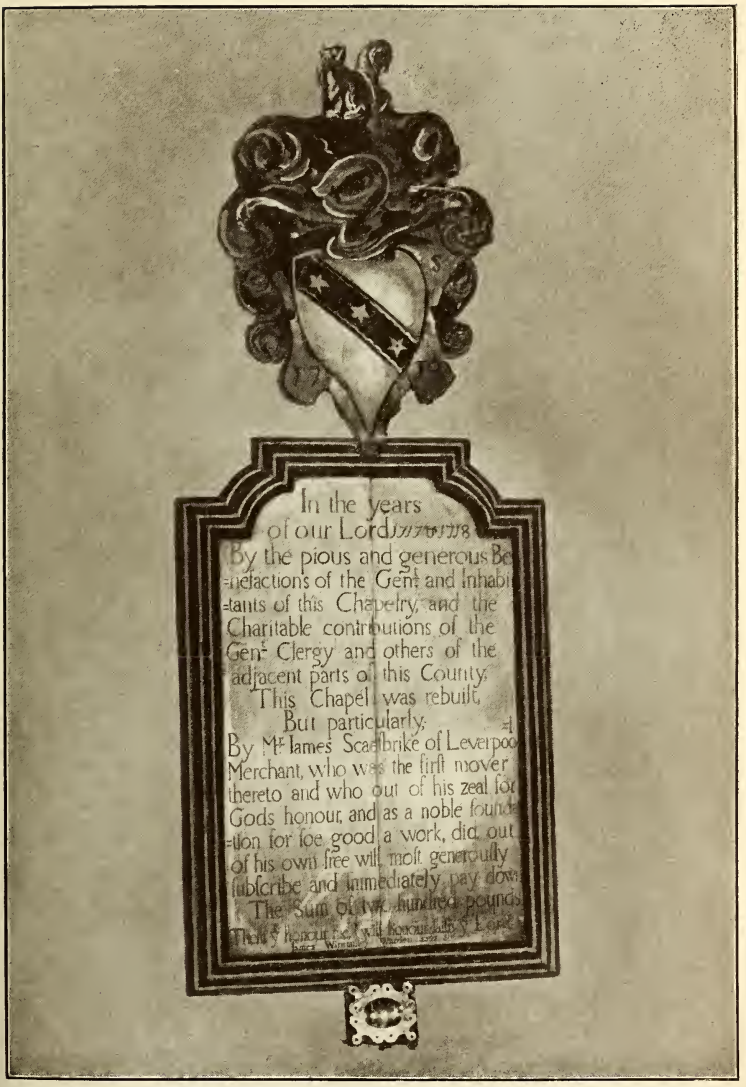
the building itself would have been late Gothic, with touches of Renaissance work; whereas at Billinge the building is Renaissance, with touches of Gothic in the nave battlements and the window tracery. It has been suggested that the architect may possibly have copied the tracery of the old chapel windows. But this could not be, for the chapel was built, as we have seen, about 1534, and its tracery would be of the late Perpendicular (without any cusps), which was in vogue in Lancashire at that time. The Billinge tracery was clearly inspired by the reticulated.

The proportions of the church are admirable; there is evidence at every turn of care and even of affection; of a desire to build a church which, while modest in size and on plan, should nevertheless be as worthy of its sacred purpose as its builders could make it. They built (so far as they knew how) *suaviter* as well as *fortiter*, sweetly as well as strongly (*cf.* Bishop Sanderson, *Works*, vol. i. p. 318). There was not merely "building" but "architecture" as well (*cf.* Ruskin, *Seven Lamps*, chap. i. 1), and the "lamp of sacrifice" burnt brightly. Good dressed stone was used for the exterior work, and within the church the pews are of oak, to which age has given a delightful colour. There was also an oak altar table (now in the vestry), very similar to the one made about the same time for Aughton Church. Both are excellent examples of the best sort of furniture of the period. A lovely brass candelabrum, similar to those at Up-Holland and elsewhere, hangs in the centre. The interior, when it was fresh from the builders hands, must have been very effective, and well-adapted for the needs of the small congregation for whom it was intended. About a dozen of the pews are double ones, and belonged to the "quality." In these kneeling must always

have been difficult. But the other seats measure three feet in width, and kneeling would be quite easy, except that there are no book-boards to kneel against.

With this church at Billinge may be compared, with no invidious purpose, the old church at Tarleton. Very old-world and quaint it is with its early eighteenth-century arrangements. It was built in 1717, and has been but little altered since. There are four panelled square pews for the "quality" on either side of the central aisle, and to the west of these and to the door are benches or forms of the most uncomfortable sort for "poor folk." At the west end is a singing gallery, with the place in its front for the numbers of the hymns. Later on (before 1836) another gallery was added for some little distance on the south side, so that the whole gallery is now shaped somewhat like the capital letter L. The church was heated by a stove, and lighted by candles in oak candlesticks, which were fixed to the ends of the seats. Outside, the church is of red brick, mellowed by age to a charming colour, against which the many green creepers make a delightful contrast. But looking at Tarleton Church and comparing it with the church at Billinge, built at the same time, one cannot but be struck with the contrast. At Tarleton there is very plain red brick and painted deal furniture, whereas at Billinge there is hewn stone, oak, and a considerable amount of architectural adornment. The cost of the one church must have greatly exceeded that of the other. We feel, as we compare the two churches, how wonderfully well James Scaesbrike and his helpers did their work at Billinge, evidently giving of their best.

This brings us to a most interesting board upon the south wall of the church, of which I will give a copy:



JAMES SCAESBRIKE'S RECORD BOARD

In the years
of our Lord 1717 and 1718
By the pious and generous Be
-nefactions of the Gen^t and Inhabi
-tants of this Chapelry, and the
Charitable contributions of the
Gen^t Clergy and others of the
adjacent parts of this County,
This Chapel was rebuilt,
But particularly, 1
By Mr James Scaesbrike of Leverpoo-
Merchant, who was the first mover
thereto and who out of his zeal for
Gods honour, and as a noble founda
-tion for soe good a work, did, out
of his own free will, most generously
subscribe and immediately pay down
The Sum of two hundred pounds [1]
Them y^t honour me, I will honour saith y^e Lord.
James Winstanley Warden 1721.

Above this inscription is a shield bearing the Scarisbrick Arms, dated 1719 (the year in which *Robinson Crusoe* was published), and on a seat near was a delightful old brass plate, now preserved on the wall beneath the Record Board (see illustration), bearing the words "James Sceasbrick, Elizabeth Sceasbrick, of Leverpoole, 1721." The common Lancashire pronunciation of the word "Scarisbrick" is "Scazebrick" (*Vict. Hist.*).

James Scaesbrike, then, was the "first mover" in the rebuilding of 1718. Who was he, and how came he to help on this work so liberally? For years past he has fairly fascinated me, but when I made inquiries about him, no one seemed to be able to give me any information. I then began to explore in various directions, and I give you the

[1] An equal sum was given towards the endowment in 1720 by Thomas Bankes, the then squire. It is scarcely necessary to point out that £200 in 1717 is equivalent to a much larger sum now. At that time a cow was worth from £3 to £4; a horse, say, £4; 20 sheep, £4; a swine, £1; 6 oxen, 2 stirks, 2 callfs, 1 why, and a bull, £30, &c. &c. (see Inventories, qu. Newbigging *History of the Forest of Rossendale*, pp. 325 &c.).

result for what it is worth. The tablet tells us that he was "of Leverpool," and that he was a "Merchant." Now it so happens that there was living in Liverpool at that time a well-known merchant of that name having a wife named Elizabeth. There were others of the same surname, but only one James Sceasbrike. Consequently we shall probably be right if we conclude that the Billinge benefactor is this well-known Liverpool man. He is mentioned several times in Picton's *Municipal Archives and Records;* but more is to be gleaned about him from a most interesting work recently published, *Liverpool in the Reign of Queen Anne*, by Mr. H. Peet, F.S.A. This consists chiefly of reprints (with valuable notes) of two Rate Assessment Books, bearing date 1705 and 1708, of which the latter deals with the whole town, and the former only with the south end. By putting two and two together, and supplementing this from registers and other sources, we can gain some particulars about James Sceasbrike, which, up to this time, have been lost sight of.

He is described as "Mariner," "Merchant," and "Gentleman" (in his will). A "mariner" "then implied a merchant-shipowner, who could, and frequently did, navigate his own vessel" (Peet). John Fells, who left £20 to the Charity School and £30 "to buy books for the Liberary" (*sic*) of St. Peter's Church, and "all my sea books, instruments, &c.," to Peter Rider, was a "Mariner." But he was none the less a "Merchant," for he had a place of business in Poole Lane and stock worth £75. So, too, James Sceasbrike was a "Mariner," and in his will bequeathed "all my parts and shares of every vessel or ship which I shall be possessed of at my decease." He was also a "Merchant," and his place of business, and possibly at one time his residence, was in Poole

Lane, which is now South Castle Street. Liverpool was at that time a town of about 7000 people, and it was fast increasing in size. The "New Church," *i.e.* St. Peter's, had been built[1] on the common on the other side of the Pool, and consecrated in 1704. In 1708 there were 1287 rateable houses. The first dock was at this time in making, and the Pool was being gradually filled up, and covered with houses. Poole Lane ran down from the castle to the dock. Here was James Sceasbrike's warehouse, filled with his stock (worth £100), and both together were (1705) rated at £1, 10s. 0d. He was by far the largest ratepayer in his street. In fact he was one of the seventeen largest ratepayers in the south end of Liverpool. There were only twelve men whose stock was valued at over £100, and the largest value was only £450 (Daniel Danvers, Red Cross Street). Of course due allowance must be made for the altered value of money, but evidently James Scaesbrike was one of the important men in Liver-

[1] It was built by assessment under Act 10 & 11 Will. III., and was considered a great effort on the part of the town. It was finally agreed to seat it with oak, though some were for "fir." Gregson (*Fragments*, fol. 165) says that some of the oak was given by neighbouring gentlemen. After carefully inquiring the cost, "lest it be too large for us," it was decided to floor the chancel within the rails with marble, white and black, using elsewhere "black flag from the Isle of Man" (*cf. The Norris Papers*). But there is very little "architecture" about the church when one gets away from the doors. "It may be correctly called of the nondescript style. It has an octagonal tower; upon each angle of which is a pinnacle representing a candlestick, with a gilt vane representing the flame. The church is the reverse of handsome, and is remarkable for each of its four doorways . . . being of a different description, which is said to have occurred from the architect having introduced them in the plan and sections to be selected from; and the contractor or builder, having the plan and sections before him, copied them exactly as they appeared there" (Richard Brooke, F.S.A., *Liverpool as it was during the last Quarter of the Eighteenth Century*, p. 47). "Architecture being then but little understood in Liverpool, four different patterns of doorcases, the number wanted, were procured from London and adopted; so that each door is of a different style" (Gregson, *Fragments*, fol. 165). Comparison with St. Peter's makes the work at Billinge seem still more remarkable.

pool at that time. He was churchwarden in 1706 (Peet). He had also a leasehold house with two closes, containing three acres of land, in Park Lane on the south side of the Pool. It was an old enclosure from the common, and he acquired it in some way from "Widow Duke," and it was called "Duke's House." Here he may possibly have lived at one time, but he did not live there at the time of the making of his will (1718), for in that he bequeathed "my house, called Duke's House and the two fields adjoining" to Margery Rainford, daughter of Peter Rainford, his brother-in-law (married Margery Scaesbrike), the gardener who lived on what is now known as "Rainford Gardens."

At the same time he left "the house where I now live" (after his wife Elizabeth's death) to "Sarah Walker, wife of John Walker of Leverpoole, sailor." He left all his interest in vessels "for the use and purpose of building Alms Houses for sailor's widdows only." These almshouses were afterwards built by his executors upon a plot of ground containing twelve yards "att the east end of the Almshouses (Poole's) att Dale Street end," granted by the Corporation on August 12, 1724 (*Municipal Archives*, vol. ii. p. 63). He was evidently a man given to good works. In the *Archives* (July 16, 1706) the following occurs: "Memo^r. Mr. James Scarisbrick has one hundred Pounds by him, which hee is willing to let ye Corporacōn have, paying him interest during his life, and hee be obliged to give ye same to ye Corporacōn (for ye use of ye poor) after his decease; ye Council accepts of the same according to ye proposal, and ye Corporacōn is to allow five p. cent for ye money during his own life." This is confirmed on the 4th September, with the proviso that the fund shall be disposed of by the Mayor and the Rectors. In this same year, 1706, James Scasbrick benefited under the will of

Richard Warbrick, merchant and mariner,[1] and founder of Warbrick's Charity, which was afterwards increased by his nephew, Richard Warbrick the younger. The money was originally spent in the building and support of eight almshouses for "Saylor's Widdows of the Borough." One of the executors of James Scaesbrike's will was Bryan Blundell, the well-known founder of the Liverpool Blue-Coat School, who was therefore a friend of his, and possibly a connection. Another executor was his wife Elizabeth, whose name appears on the pew-door plate at Billinge. The third was "John Scarsbrick, sonn of William Scasbrick." This was the man who in 1721 purchased from Sarah Gaskell, daughter of Richard Percival (who had bought it) the gallery at the west end of St. Nicholas' Church (erected in 1681) for £33 (Picton, *Memorials*, ii. 57). In 1723 he was Mayor of Liverpool, and gave £70 towards completing Dr. Sylvester Richmond's Almshouses (1692) on the south side of Shaw's Brow for poor sailors' widows. In the note on p. 93 of Mr. Peet's *Liverpool*, this John Scasbrick is erroneously called James's brother; but this he could not have been, for in his will, made in 1718, James speaks of "my brother John Scasbrick deceased." This was evidently the John Scasbrick, called both "mariner" and "brewer" (Peet, *op. cit.*, pp. 29, 88), who in 1708 lived in Moore Street; was, probably, churchwarden in 1704; and was buried on March 17, 1711, at St. Nicholas' (*Register*). He was evidently the brother of James, for in his will James left £20 to Daniel Scasbrick, whom he calls the "sonn of my brother John Scasbrick deceased," and in the St. Nicholas' Register there occurs the entry of the baptism, on December 10, 1700, of "Daniel son of John Scarsbrick of Moore Street Mariner." The John Scarsbrick who

[1] Entry in Liverpool Register, p. 5, 1670: "Richard Warbrick and Catherine Scasebrige, with a licence, July 1" (Peet, *Inventory*, p. 80).

was mayor in 1723, and who proved James Scaesbrike's will at Chester on 30th November 1724, might have been James's nephew or cousin. His own will was proved at Chester, probably in 1736 (Lancashire and Cheshire Record Society). James left legacies to his nephew and two nieces (children of John), and to various friends. He had evidently no surviving children.

Now comes the further question, why did this "James Scaesbrike of Leverpool" help Billinge so lavishly?[1] As a rule, men help places in which they are interested by residence, or by ownership of property. James Scaesbrike was not only a large subscriber; he was also "the first mover" in the work. This, and the fact that he had one of the chief seats allotted to him and his wife, seems to point to, at any rate, a frequent residence here. But if so, where did he live? Winstanley Hall, Birchley, Blackleyhurst, and Bispham Hall were all in existence then, and there may have been other possible houses. But probably James Scarisbrick lived in none of these. The Bankeses were at Winstanley;[2] the Pooles were at Birchley,[3]

[1] He made his will in 1718, the year after he had given the £200 to Billinge. He left £20 each to some near relatives; £10 to each of his executors; £100, contingently, to another person; and to his wife £600 absolutely, and another £400 if she continued in widowhood. The greatness of his gift to Billinge is evident, when it is compared with these bequests.

[2] The Minutes of Vestry meetings were signed by Wm. Blackbourne in 1708, '11, and '12, and by J. Blackburne in 1727, '46, '49, '50, '51, '52, '54, '57. Thomas Bankes signed in 1708, '13, '18, '23, '24. He probably died soon after this last signature. His son, Robert Bankes, signed in 1725. Pews were allotted to the families of Bankes, Bispham, and Blackbourn. The Pooles were Roman Catholics.

[3] On September 7, 1720, Mr. Nicholas Blundell met at Garswood at dinner "Mr. Poole of Burchley." See *Diary*, p. 169. Three entries in the Billinge Registers:—

Baptisms.—"Philippia Poole Daughter of Mr Poole of Birchley. Born ye 30th of April 1702."

"Meliora ye Daughter of Wm Poole Esqr of Birchley was born June 27th 1707."

Burial.—"Malliora ye Daughter of Mr Poole of Billinge departed Her life february ye 19th 1710."

and were frequently visited by Nicholas Blundell, the Diarist; the Blackburnes[1] were still at Blackleyhurst; and the Bisphams at Bispham Hall.[2]

What, then, was the connection of James Scaesbrike with Billinge? On page 2 of the second of the Billinge Registers these words occur:—

"This chapel of Billinge was rebuilt in the years 1717 & 1718 by Contributions, when the Right Rev^{d} Father in God Francis L^{d} Bipp of Chester by his Verball Orders to the Rev^{d} Humphrey Walley Curate of the said Chapel did appoint Thomas Bankes of Winstanley Esq^{r}, the Rev^{d} M^{r} Sam^{l} Aldersey Rector of Wigan, and the afore mentioned the Rev^{d} M^{r} Walley to seat the Inhabitants of the said Chapelry who had claims to seats or forms or Pews in the old Chapel, & to dispose of the rest; w^{ch} Order was obey^{d} and the seats ord^{d} and dispos^{d} off as follows. Videl^{t}."

Then follows a list of the pews numbered consecutively from 1 to 49, with the names of those to whom they were allotted. Four pews were given to Thos. Bankes, Esq^{r}., for the use of his Family, and about twenty-six others for the use of his tenants. Sir Wm. Gerard, Bart., of Garswood, had one pew for his Family. This may have been in acknowledgment of his ownership of Birchley Hall, if it had by that time come into his possession. Thomas Bispham, Esq^{r}., of Bispham, had two seats for his Family, and so had Mr. William Blackbourn, Gent^{m}., of Blackley Hurst. The Curate of Billinge had one pew for his Family and one for a tenant, and Lord Derby had one for a tenant. There was about fourteen others allotted to men who were, perhaps, small freeholders, or had some other claim to them.

To James Scaesbrike was allotted the third pew from the east end on the south side of the middle aisle,

[1] See note 2, p. 20.

[2] Entry in Billinge Register: "1726. Thomas, reputed son of Thomas Bispham of Bispham Esq^{r}, and Jane Birchall of Billinge, Serv^{t} was Baptised Augst y^{e} 21st 1726."

those of the Bankes and Gerard families being before him, and the curate's behind him. The four corresponding pews on the north side of the aisle were allotted to Bispham (two), Blackbourne, and Bankes. The pulpit and clerk's desk came next, to the west of the Bankes' pew, on the north side of the aisle. These eight pews were evidently the chief seats, and one of them was allotted, as we have seen, "to the use of James Scasbrike of Liverpool merchant (who gave 200*ll.* to ye Building of ye Chapel) and his Family."

The several holdings of Mr. Bankes' tenants are all recorded, as well as their situation in Billinge or Winstanley. These evidently were considered to give them their right to the pews. Of these tenants, two may be noticed. Pew No. 40 was allotted to one "William Tatlock of Liverpool,"[1] holding a leasehold tenement at Winstanley. Tatlock was a Liverpool name. A William Tatlock was churchwarden in 1590. Philip Tatlock was an innkeeper in Castle Street, and Richard Tatlock was a dyer in Tyth Barn Street in 1708. I cannot find any mention in Mr. Peet's book of a William in 1705 or 1708. But the occurrence of the name in the Billinge Book, "William Tatlock of Liverpool," is interesting as affording one small link between Liverpool and Billinge at our period. This will prepare us for another, much more to our purpose. Pew No. 26 was appropriated to one "Peter Rainford of Liverpool," also holding a Winstanley tenement.[2] On turning to the Baptismal Register we find that whilst this Peter Rainford was living at

[1] A hill at Billinge with a clump of trees, visible for miles round, is still called "Tatlock's Hillock."

[2] We are not able to ascertain where Peter Rainford lived. But "*perhaps* there may be a reminiscence of him in 'Rainford Cottages,' just outside Pemberton and just in Winstanley, the said Rainford Cottages being made out of an old farmhouse, which was therefore of fair proportions" (*Ex inf. Vicar of Billinge*).

Winstanley, four children were born to him, viz. Cysely in 1704, Mary in 1707, Margery in 1710, and Robert in 1714. We do not find the name in the Register of Burials, consequently we may be sure he was buried elsewhere. On turning to the Liverpool books we find a Peter Rainford, a gardener, living in 1705 and 1708 in a house (with garden) in Harrington Street, and apparently owning other property. In 1700 he owned three *new* stables in Harrington Street. He had also two closes near the Moss Lake, and one close near the new church. These were new enclosures from the common. He was buried on August 23, 1743, in St. Peter's Churchyard, probably aged about eighty. But the main point of interest to us lies in the fact that on January 20, 1688, he was married at St. Nicholas' Church to Marjory Scasbrick (baptized at St. Nicholas' March 16, 1663), daughter of Thomas Scasbrick (buried at St. Nicholas' June 23, 1668). This was the sister of our James Scaesbrike, and Peter Rainford was his brother-in-law, as we know from James's will, which also tells us he had seven children. The name of one of these is given as a beneficiary under the will, viz. Margery. Margery was the name of one of the daughters of the "Peter Rainford of Liverpool" who had the Winstanley tenement. It seems not unreasonable to conclude that her father was the brother-in-law of James Scaesbrike, and, if so, one is able to understand why James Scaesbrike should have helped Billinge.

From the allotment to him of a pew, it is quite clear he was frequently at the services of the church. The apportionment to him of a chief seat as a mere compliment is not to be imagined. He was given a pew because he needed one. But, since the pew was assigned to him only as a subscriber, it is also clear that he was neither a

property owner nor a householder in Billinge, and he is called, both in the book and also on the Record Board, James Scaesbrike "of Liverpool merchant." If he were a Liverpool man often staying with relatives in Billinge, and attending the church, the *raison d'être* of the allotted pew is very clear. It is of course possible that he or his family may have originally come from Billinge, but of this there is not a vestige of proof. In 1609 the will of Dorothy Scarisbrick, spinster, of Birchley, was proved at Chester (Lancashire and Cheshire Record Society), but the name never occurs in the Billinge Registers, which date from 1696. But, if our surmise be correct, James Scaesbrike used to come from time to time to Winstanley to stay with his brother-in-law, Peter Rainford, who was probably a farmer as well as a gardener. His "closes" and "stables" in Liverpool point in this direction. There would probably be much coming and going between the two homes. Being a God-fearing Churchman, and a man given to good works, James Scaesbrike was much interested in Church matters. He had no doubt (though of this there is no record) watched with interest the building of the "new church" of St. Peter, Liverpool, consecrated in 1704. He was, as we have already seen, churchwarden of Liverpool in 1706. So he was dissatisfied with the poor little sixteenth-century chapel at Billinge, with its outeling, and at length, after many years of acquaintance with it, he suggested its rebuilding, and backed his suggestion with the munificent offer of £200. He was the prime mover in the matter. After due consideration his offer was accepted, his subscription was at once paid, the work was begun and carried on to completion. And in grateful acknowledgment of what he had done, one of the chief seats was allotted to him and his wife Elizabeth.

The careful consideration and piecing together of fragments of information gathered from various sources leads me to offer this as the explanation of James Scaesbrike's gift to Billinge. It rather increases our admiration of him.

One would much like to know more about him, where he was born, where he died, and where he was buried. Perhaps some day these facts may come to light. But it is good to have a satisfactory, and, as I hope, the true, answer to the question, "Why did he help Billinge?"[1]

However this may be, we are sure that Billinge owes this man, whatever his connection with the place might have been, a great debt of gratitude.

At the time of the rebuilding of the chapel, we know from Bishop Gastrell's *Notitia* that there were 178 families in Billinge, of which 10 were Presbyterian, 4 Quaker, and 10 Papist. The population was on the increase. It had grown by some twenty families since the census of about thirty years earlier.

[1] A James Scasbrike is mentioned in *The Moore Rental* (Chetham Society, xii. 1847), the date of which is 1667–68. He is there said to be the "Son in Law" of "Widow Blundell *alias* Heayes," who is spoken of as "a very cunning woman; hath to her son-in-law a notorious knave [Moore dealt largely in opprobrious epithets. Allowance must be made for this], and one whom I charge you never to trust. I will here tell you a pretty story of him." He then tells it, and adds, "Thus you see what unreasonable souls these common people hath, and perfectly hates a gentleman. I charge you in the name of God never trust them. . . . She [*i.e.* Widow Blundell] at present pays three days shearing, three hens at Xmas, and hath in it [*i.e.* her lease] her own life, James Scasbricke her son's [*sic*], and Anne, her Daughter's. If ever this James Scasbricke comes to be bailiff of Liverpool, he is to give me —— pounds more of his fine. . . ." James Scasbricke's name does not occur in the list of bailiffs given on pp. 131–33, 1625–87. This man *might* be the Billinge benefactor, but it is scarcely likely. If so, Anne Blundell was his first wife. In the St. Nicholas' Register there are these entries, "Lorance, s. of James Scasbricke: June 5, 1664. Peeter, s. of James Scasbricke: Feb. 2, 1669." His name does not occur in the register of marriages or of burials. He may have been a relative of the Billinge man, one of whose executors was Bryan Blundell, baptized January 9, 1674, and died January 27, 1756, and therefore fifty years old when Mr. James Scaesbrike died.

In 1718 there may have been about 900 people in the parish, and the rebuilt chapel held about 200, *i.e.* nearly one quarter. To-day the population is 3179, and the church holds 470, *i.e.* about one-seventh. So that, as compared with to-day, the provision of church accommodation in 1718 was on a generous scale. Altogether, the men of 1718 did their work well.

In 1765 there was a dispute about the patronage of the benefice, just as there had been at Hindley in 1708. In both cases it was decided in favour of the Rector of Wigan, in whose hands the patronage has ever since quietly continued. In the Billinge Parish Chest is (in duplicate) a paper of considerable interest, besides others which are useful in a lesser degree. There are two copies of the *Brief for the Defendants*, one marked "Mr. Serg^{t}. Aspinall, 10 g^{s}.," and the other, "Mr. Walker, 5 g^{s}." The defendants were the Bishop of Chester (Keene) and the Rector of Wigan (Shirley Cotes), and the plaintiffs William Bankes, John Gildart, Humphrey Atherton, John Harper, and Lawrence Pennington, the feoffees of the chapel. John Gildart[1] ("of Liverpool, Gent.") was the grandson of the late John Blackburne of Blackley Hurst. The case was tried in the Court of Common Pleas at Lancaster. The Attorney-General was, apparently, for the plaintiffs. A certain amount of interesting history is given in the *Brief*. Several deeds were produced by the plaintiffs.

1. One, dated 1561, by which Thomas Winstanley of Winstanley, Esq., conveyed the chapel and chapel yard to certain feoffees. He was probably the survivor of earlier feoffees, for the chapel was standing soon after 1534.

[1] *Cf.* "George Gelder a squire of Liverpoole an Ann Blackburn of Billinge ine parish of Wigan. By licancs 16 November 1751" (*Newchurch Registers*, L. P. R. Soc., p. 224).

2. One, dated 1603, by which Peter Latham, the surviving feoffee, conveyed the chapel and chapel yard to other feoffees.

3. One, dated 1614, by which Peter Marsh conveyed to the chapel feoffees two closes of land in consideration of the sum of £60, most of which had come as a legacy from "Thos. Walley *alias* Billinge." The income of this land was to be an endowment for "a Minister or Reader," who should be yearly admitted by the feoffees. ["Reader" Bolton had charge of the parish at this time.]

5. One, dated 1665, by which Mr. Humphrey Cowley, the surviving feoffee, appointed other feoffees, one of whom was "Peter Mather (if he was then and should continue a Member of the Church of England)," and another, "W^m^ Blackburne of Blackley Hurst within Billinge aforesaid, Gent."

6. And finally one, dated 1754, by which John Blackbourne, only son and heir of this William Blackburne, not only appointed six fresh trustees, but also provided for the continuance of the trust in the future by co-option to the number of seven.

With regard to these deeds, the *Brief* inquires whether it will not be proper to observe the variance of the uses in every deed, and how they have been strained and calculated in order to favour the plaintiffs? But the plaintiffs urged that they, or rather that Mr. John Blackburne, had been deprived of the patronage by Dr. Roger Bridgeman, Rector of Wigan, on the death of Mr. Walley in 1749. In one of the other papers in the parish chest, a statement by Fogg, Proctor, it is said that this Humphrey Walley, "being a man very agreeable to the Trustees, and having an extraordinary Influence over them," was allowed to enter into possession of the trust estates, which he held to the time of his death.

Not only so, but he "some years before his death (by what means is not known) got into his Possession the several Deeds and writings . . . with the Privity of Mr. John Blackburn." These were lost at the time of his death, but were found and returned by his executors five years afterwards (1754). Mr. John Blackburn, the surviving trustee, was thus reduced to a helpless position. Then "Doctor Bridgman, the then Rector of Wigan, taking advantage of the said John Blackburn and the want of the several Deeds before mentioned, surreptitiously and by false suggestions nominated the Reverend Edward Parr Clerk as his Curate or pretended Curate to the said Chapel of Billinge, and prevailed with the late Bishop of the Diocese of Chester to grant him a License to officiate in the said Chapel. It being then out of the Power of the said John Blackburn the surviving Trustee to produce the said Deeds or set forth the Right and Interest of the Trustees . . . and this was and is true publick and notorious in and throughout the Parish of Wigan Chapelry of Billinge and other places adjacent."

One tale is good till another is told, and as one reads this tale one can but sigh. The case for the plaintiffs was forcibly put by the Attorney-General; the deeds were put in; witnesses were called—Joseph Colshead and Elizabeth Woodworth, both aged eighty, and William Derbyshire, aged seventy-seven—to prove past appointments and payments by the trustees (*e.g.* "Sedgwick—*Curate*, 60 years ago—paid 10/ Sunday, by Blackburn Trustee as he has heard say"), and independence of Wigan. But, in spite of all this, the rector won his case. He pleaded that Billinge was a chapel of ease, exactly on the same footing with Hindley and Up-Holland, and never a donative. He proved that the Billinge chapelwardens had always

BILLINGE CHURCH BEFORE RESTORATION

appeared and been sworn at the bishop's visitation, and that copies of registers had been sent to Chester; that the curates had been licensed by the bishop; that in 1717 Mr. Walley admitted to Queen Anne's Bounty Commission that £6 was paid yearly to him by the rector; that this was attested upon oath, and that the certificate sets forth that the nomination of the Curate of Billinge was then in the Rector of Wigan. He also proved the dependance of the chapel upon the mother church, by showing that the Curate of Billinge had time immemorially attended at Wigan Church every Good Friday, and assisted the rector and curate there in the duty or service of that day, and in the administration of the Sacrament; by showing also the provision of the Sacramental Bread and Wine by the Wigan churchwardens, the provision by them of surplices, "Cupps for the Communicants," and Common Prayer Books, and the repairing of the pulpit; and, finally, he showed that when the chapel had been rebuilt in 1718, the Rector of Wigan, together with the Curate of Billinge and Mr. Bankes of Winstanley, by the direction of the bishop, allotted the seats to the inhabitants.

And so the rector won his case, and his tale is seen to be the best.

At the beginning of the nineteenth century, during the long ministry of Richard Carr (1776–1813), a new hymn book was introduced at Billinge, of which a copy is preserved in the Wigan Reference Library. No compiler's name is given, but on the title-page is the date 1809, and the motto "Christ is all and in all," and this, together with the choice of hymns, would lead one to suppose that the force of the great Evangelical Revival had reached Billinge. The book contained 100 psalms and hymns, and was probably a

great improvement on the metrical psalms, which may have preceded it, though it would seem meagre enough to us now.

A few years after this hymn book was introduced the galleries came. There was a small western gallery from the first, for the seats in it were allotted in 1718. The singers sat in it, for only five of the eight seats were allotted. The other three would be for the singers. But in 1823 the population had increased, and had become, it may be, more religious under the ministrations of the Rev. S. Hall,[1] and increased accommodation was required. It was obtained by the erection of, first, the north gallery in 1823, and then the south gallery in the following year, and the church became very much what it was before the recent restoration was begun. In those days it was considered a very handsome interior, and ten years after its completion we find the author of a little book called *Billinge Hill Scenery* saying that "it is the general impression of every stranger that by the possession of an organ its internal beauty would be fully completed." In due course the organ came, and now it has gone, and the north and south galleries also. Those galleries were in themselves hideous, insanitary, dangerous, and undevotional. They entirely destroyed, for the ordinary spectator, the beauty of the building. And yet we may be thankful that they were put in. They were probably a sign of church life. But, apart from this, we may have to thank the galleries for the preservation of the church. Had they not been put in, the church itself would

[1] His ministry is said to have been very acceptable to the people, but he seems to have disagreed with some action of the Bishops. He therefore resigned Billinge in 1833, and for about three years he ministered amongst the Wesleyans. He afterwards returned to the Communion of the Church, and did occasional work, though he was never again beneficed.

BILLINGE CHURCH. SOUTH AISLE

probably have been pulled down and rebuilt, or some addition have been made to it after the style of Lowton, added to in 1813. As it was, the galleries enabled the need to be tided over, and James Scaesbrike's church to stand uninjured, until, in the fulness of the time, the present careful and conservative additions could be made to it.

The Billinge people have been fortunate in securing the services of one of the greatest living English architects, Mr. T. G. Jackson, R.A., and he has given them a church which, upon the whole, James Scaesbrike would have rejoiced to see. The apse has been moved eastward, and transepts added. But the old Billinge Chappell, so dear to the hearts of the people, is there still. Scarcely a stone of it has vanished; all its delightful oak work is preserved on the walls. Indeed its beauties are now far more apparent than they were before. And to the old the new has been added, and when Time has done his mellowing, artistic work upon it; when it has been just touched by the finger of decay, which adds so great a charm, men will better see how well the architect has caught the modest spirit of the old building with which he had to deal. The new work of the interior is singularly dignified for its size, and the general effect on the day of Consecration, when the choir and clergy filled the chancel and apse, and the bishop's pastoral staff shone like fire in the brilliant sunlight, will never be forgotten by those who witnessed it. So at Billinge we now have the ancient and the modern, each telling its own tale, but in excellent harmony, and both to stand, as we trust, for many a long year to bear their silent witness to God upon this hill top, and to shelter and inspire successive generations of His worshippers. As in the sixteenth century, and again in the eighteenth,

so also in the twentieth, whilst outside neighbours have been helpful, the principal cost of the work has been borne by the Billinge people. No less than 400 of the parishioners have contributed their willing offerings. £4470 has been spent, of which at the time of the Consecration (March 28, 1908) about £400 had yet to be raised. By Easter, 1909, this sum was obtained and the debt extinguished. A few months later a very handsome lectern Bible (R.V.) was given by Mrs. Bankes of Winstanley. A brass lectern was also given by Mrs. and Miss St. George in memory of the late Canon St. George. It is a copy of the lectern given by T. Cracroft in 1686 to York Minster, to replace the earlier lectern melted down by the Puritans. It is strikingly fine.

Registers.[1]

1. The oldest Register is a paper book bound in limp parchment. This contains entries in different parts of the book, but occasionally also on the same page, of births, burials, and marriages. The date of the earliest entry is 1696, and of the latest 1727. Five entries of marriages, 1722–27, and twenty of burials, 1725–27, are at the other end of the book, though some way in. Preceding these are the minutes of fifty meetings of inhabitants held for the purpose of laying "Leas for y^{e} use & repairs of the Chappell," from 1708 to 1761. The "leys" varied from 2, 4, 3, 6, 8, to 16 (1750), 60 (1758–9), and "Seventy fifteenths" (1761). In 1757 the levy was "a ley of 4^{d} in y^{e} pound." It is noteworthy that in the years 1718 and 1719,

[1] A perusal of the printed (*L. P. R. Soc.*, 1905) Registers of Up-Holland (1600–1735) shows that many of the inhabitants of "Billinge" were baptized, married, and buried at Up-Holland. But until 1882 the whole of the Township of Billinge Higher End belonged to Up-Holland, as half of it does still.

when the chapel was in rebuilding, only four leys were laid, and the same phrase was used, "for y^e^ use & repairs of y^e^ s^d^ Chappell." So that, apparently, nothing extra was contributed in this way towards the expense of rebuilding, and no mention was made of it. In 1761 the "Seventy fifteenths" was "for the Necessary repairs of the Chapel for the ensuing year; and Likewise to Reimburse the late Chapel Warden Moneys Expended in Building the New Cupelow on this Chapel and the other Repairs that have been done to the said Chapel and not yet paid." The years 1758, '59, and '61 seem to have been unusually expensive ones. The notice of the "New Cupelow" is interesting.

2. The next Register Book is of parchment, bound in parchment boards. On its earliest pages is the account of the allotment of the seats, to which reference has already been made. It then contains, in various parts of it, entries of baptisms, weddings, and burials. The baptisms are from (July 9th) 1727 to (May 27th) 1760. During Mr. Humphrey Walley's tenure (1708–49) the occupations of the father are generally given — farmer, labourer, webster, linnen weaver, collier, "linnen salesman, chandler, or yeoman," "naylor," hingemaker, joint-maker, slater, husbandman, delfman, whitesmith, shopkeeper, blacksmith, "linnen tradesman," miller, shoemaker, malster, maltman, &c. &c., all which are interesting, as giving us some idea of the sort of people who lived at Billinge during the early part of the eighteenth century. Mr. Edward Parr (1749–63) no longer entered the occupations of the parents.

There were at this time but few illegitimate births ("a bastard," "her reputed Father").

Following the baptisms came the marriages. From 1727 to 1746 are entries in due order by Humphrey Walley, Curate. Then follow twelve

entries by Edward Parr, Curate, the first of which is dated 1751 and the last 1761, but the order is quite irregular, a marriage, *e.g.* of 1751, and another of 1761 being on the same page, followed on the next page by one of 1759. These entries were, with the exception of one in 1751,[1] signed by curate, bridegroom and bride, and two witnesses, generally both male. Of the four female witnesses, only two could write, and one of these spelt her name "Ellin." One of the brides was named "Dulcibella." The ages are not given beyond this, "being both of age." In one case, instead of this, we have the words "with the consent of their Parents."

Most of these marriages were by license, granted by at least eight surrogates, thus :—

Parties Living in	Surrogate.
Wigan and Wigan	R. of Wigan.
Walton and Huyton . . .	do.
Liverpool and Childwall . .	R. of Aughton.
Ormskirk and Ormskirk . .	do.
Ormskirk and Eccleston . .	V. of Ormskirk.
Croston and Standish . . .	V. of Chorley.
Warrington and Warrington . .	Manchester.
Wigan and Huyton . . .	R. of Standish.
Prescott and Prescott . . .	V. of Huyton.

[In 1802 over 100 banns of marriage were published at Billinge. Of these 75 per cent. were married, and all paid the fees. They were nearly all called "of this *Parish*" (*i.e.* Wigan). In 1803 there were about fifty. After that there was no wedding till 1806 ("of this *Chapelry*," *i.e.* Billinge), and then very few in the following years.]

The remainder of this second Register Book is filled with entries of "Burialls" from 9th August 1727 to 12th May 1759.

3. There is a well-kept book of churchwardens'

[1] Lord Hardwicke's Marriage Act came into force on March 25, 1754. It ordered the entries in the Register to follow a prescribed form, and to be signed by the contracting parties.

accounts from 24th August 1770 ("payd for this Book, 3s. 3d.") to Easter 1857. At the end of the book is the following letter:—

1407131

"The Church Wardens of Wigans Compleᵗˢ to William Bancks Esqʳ: they are sorrey they did not answer his Letter sooner; they thought the Message they sent by Mʳˢ Moor might answer the *end:* they have purchased the Linnin for the Communion Table and have sent it to Mʳˢ *Carr:* and the Books for the Alter Shall be Bought according to his direction when Callᵈ upon.

"Wigan, Augᵗ. 2, 1794.

"*P.S.*—If he wouᵈ wish Money paid him for the purchase of the Books that shall be done."

Just before this letter is the record of a Vestry meeting held in 1796, at which it was agreed to pay the clerk £4, 15s. per annum. He was paid £1, 5s. in 1771 for salary and washing surplices, and £1, 8s. 1d. in 1773, £2, 0s. 4d. in 1774. But on the preceding page are the minutes of a later Vestry in 1814, when—

"It was resolved that the Clerks Salary be 8:15:0. That in consideration of this salary he perform the duties of a Clerk in the Chapel, make the fire, ring the bells [*sic*] for Divine worship, and [*N.B.*] at 8 o'clock on every Sunday morning, wash the surplices, and clean the Communion Plate, and clean the chapel, take care of the Communion Carpet and of the Pews."

This Churchwardens' Book was used for Minutes of Vestry meetings as well as for accounts, but the latter are much the more interesting. Here are a few of the entries:—

		£	s.	d.
1771.	Paid to Delfman and several others Fixing the Step Stone it Requiring great strength	0	1	5
1772.	For Wheeling and Clearing of all the Rubbage after Flagging was done . . .	0	1	0
	Paid for Sacrament Bread for two years .	0	1	10
1773.	For fetching Wine from Wigan	0	0	8
1774.	For 6 Bosses to kneel upon	0	6	0

		£	s.	d.
	Paid John Taylor for Ale;[1] that was had for Ringing on Holidays, and for Workpeople, as by bill	0	12	2
1775.	Paid for Sacrament Bread	0	1	0
	To fetching Wine five times from Wigan .	0	3	4
1776.	Paid Th^{os} Barrow for 20 Empty Wine Bottles that are Missing at 3^{d} p. b. . . .	0	5	0
	To Peter Yates for Straw Matts at Comm^{n} .	0	5	0
1777.	Parkinson for Weather Cock . . .	0	5	0
1779.	To three men for Cleaning Snow of Chapel, and cleaning Walks	0	2	0
	[Frequent similar entries.]			
1781.	To Expenses at a Rejoicing	0	1	0
1783.	To going to the Top of the Chapel to look at Cupola, fetching Ladders, and bringing home	0	1	0
1786.	To Boards, Nails, and Work at Chapel Windows when Blowed out	0	2	6
1787.	[The Chapel was whitewashed at a total cost, with some plastering, of £4, 2s. 7d., including "allowance in Ale,[1] a Pint a day each man, 5^{s} 0^{d}." and "Betty Cadmon and others cleaning Chapel twice, 2^{s} 0^{d}." *N.B.*—Men's Wages, 2s. and 1s. 10d., Apprentices', 1s. 4d. per day.]			
1788.	To 9 Baskets of Coals and carting . .	0	3	0
	[So others.]			
	To 3 Journeys to John Rigbys to Receive Cash for Oat Bread	0	2	0
	[So others.]			
1800.	A new Matt for the Communion . . .	1	12	6
1801.	(Oct.) Paid for Ringing and Ale[1] on Account of Peace	0	12	6
	[*N.B.*—One Bell.]			

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[1] *Cf.* Kerry's *History of St. Lawrence, Reading*:—

P. 56.—"1505. It. payed to the Clerks for syngyng of the Passion in Palme Sonday in Ale, 1^{d}."

P. 57.—"1534. It. pay^{d} for a qu^{a}rte of *basterd* [a wine] for the passion apon Palme Sonday, iij^{d}."

P. 61.—"1524–5. It. for brede drynk for the organ maker whylls he entewnyd the org., iiij^{d}."

P. 92.—"1513–4. It. pay^{d} for a galon of ale for the Ryngers at the deth of the Kyng of Scotts [at Flodden], ij^{d}."

These were all pre-Reformation instances. We will add one of later date, the moral of which is obvious:—

"1612. Pay^{d} more to the petti Sextone for Ringing a Crownation day and to gallons and a halfe a beare out of my one seller, and had maney vill and slandrows words from this Receaver, x^{s}."

		£	s.	d.
1802.	Postage of a letter and Ink	0	1	3
1812.	Paid James Anderton for Clarking . . [This in addition to Clerk's Salary in various items, £7, 2s. 10d.]	1	0	0
1815.	Paid for Assistance of fixing Scafforts, and also for proping the Galary . . .	0	3	6
1817.	Expenses of Proping Galary and taking Down at Charity Sermon . . . . . [A similar entry in each of the three next years.]	0	8	6
1818.	Paid for Lowance [1] when the new Pulpit was in fixing up . . . . . [This seems to have been thirsty work. The pulpit, reading desk, clerk's desk, and some pews cost £56.]	0	11	4
1819.	Given to the Singers at the opening of the new School	0	6	6
1821.	Given to Singers [*N.B.*] Sun. Sc. Anniversary	0	10	6
1822.	Allowance [1] on Repg Chapel and yard—expecting Bishop	0	1	9
1824.	[Pew Money received—that is, the money paid for Pews in the new Gallery amounted "incl King's Duty," to £204, 10s. 11½d. The Winstanley Rate produced £30, 14s. 9d., and the Billinge Chapel Rate, £38, 13s. 7d. The amount spent is given on the other side. £1 was paid to the architect, Mr. Warburton, for the plan, and £15, 3s. for Faculty.]			
1825.	P^d for the Large Room and Liquor [1] at the Confirmation of Boys and Girls . .	0	8	2
	Do. Journey to do. . .	0	4	0
1827.	P^d for repairing Pews in y^e Chapel on the Bishop's Visit and Boards . . .	0	5	6
1830.	P^d for a cork screw	0	1	10
	For an Iron Chest	14	14	0
1833.	P^d for Candle Snuffers	0	1	10

On several occasions money was paid for ringing, &c., on November 5th. Apparently, May 29th was a great day at Billinge. Year after year, from 1770 to 1814, expenses are entered :—

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[1] *Cf.* note, p. 36.

		£	s.	d.
1770.	Bowning[1] and Adorning the Chapel on 29th May	0	1	6
1771.	May 29, Customary adorning Chapel and expenses	0	1	6
1779.	To Ringing and Expenses on 29th May .	0	2	6
1794.	May 29, for Ringing and Liquor[2] . .	0	2	6
1814.	May 29, Decorating the Chapel . . .	0	3	0

The Billinge people seem to have been a loyal set, as the following entries show :—

		£	s.	d.
1770–71.	For a Form of Prayer for the Queen's Delivery	0	0	8
1771–72.	Paid for a Paper for Correcting in the Prayer Book the Prayer for the Royal Family	0	0	8
1816–17.	Pd for Fixing the King's [George III.] Coat of Arms up as a Gift from Meyrick Bankes, Esqr., of Winstanley .	0	10	6
1817–18.	Pd Mr Richd Marsden for Morning Cloath	5	9	6
	Pd Jno Marsden for do. and putting the Chapel in Black for Princess Charlotte's death [*d.* Nov. 6, 1817] . . .	3	15	0
	Jorney and Expense to Up Holland and Wigan to (?) the Pulpit and Reading Desk on Account of the Chapel Being in Black	0	2	6
	Do. to Purchase Black Cloath, &c. &c. .	0	2	6
1819–20.	Paid Richd Marsden's Bill for Black Cloath on Account of the Death of the King [George III., *d.* Jan. 29, 1820] . .	14	6	9
1826–27.	Paid for Crape on D. of York's Death [*d.* Jan. 5, 1827] and fixing up . .	0	19	3

[1] Bowning, *i.e.* preparing. An obsolete or archaic word (variously written), derived from the Norwegian *búen*, pa. pple. of *búa*, to get ready. The verb was derived from the ppl. *a'*, which is found in Chaucer (1386), Franklin's T., 775: "She was bown [*i.e.* prepared] to goon the wey forth right." Harding (1470), *Chron.*, viii. 1: "He to paye was so readye and bowne, For his Vitayle." Ross (1768), *Helenore*, 93: "The Squire . . . to find her, shortly makes him bown." Sir Walter Scott revived the literary use of the word; *cf. Lady of the Lake*, IV. iii.; *cf.* Dr. Murray's *New English Dictionary*. It is interesting to find this old word in use at Billinge in 1770.

[2] *Cf.* note, p. 36.

		£	s.	d.
1830–31.	Paid for Crape for Mourning on the Death of the King, &c. [George IV., *d.* June 26, 1830]	2	14	10
	For taking down Mourning and Cleaning .	0	2	6
1837–38.	P^d for putting Chapel in Mourning for William 4^th [*d.* June 20, 1837] . .	0	6	0

The "singers" deserve a short concluding notice. They are not mentioned before 1774, when they received 4s. 10d., nor after 1833, when they were paid £3 "by order of Mr. Bromilow," the then Incumbent. Between these two dates they are mentioned in most of the accounts. They sat in the "old Gallary," which was repaired and fitted with "a Book frame for singers" in 1784; a "new form" was provided for them in 1788, which cost 3s. 6d. In 1832 their seats were furnished with "Curtains and Rods." Their fortunes ebbed and flowed. Some years they received but a very few shillings. In 1794–5 the whole expense of the choir came to £1, 9s., and in 1798–1800 (two years) to £2, 16s., in addition to which no less than £3, 8s. 6d. was paid "to John Hurst for teaching" them. They were visited several times by "Wigan singers," and once by "Newborough singers" to whom 7s. was paid. The Wigan and Billinge singers together got only 5s. In 1800–1 4s. was spent on "Ale for Singers."[1] They were regularly provided with candles. They had "ruled paper" given them in 1825, and their music was repaired at a cost of 16s. The "green base for the musicians," which cost 7s. in 1828, was probably for bags for the instruments. These first appear upon the scene in 1786, thus: "To M^r Cowley for Green Baze for Bazoon Bag 2/4, and to Taylor making Do. 4^d." Henceforward the charge for "Reeds" constantly appears. The "Bazoon" was apparently the only instrument till

[1] *Cf.* note, p. 36.

1804 (December), when there occurs the entry, "a sett of Strings for Base Viol, 4s. 8d." and these are afterwards frequently mentioned. A new bow was purchased for it in 1809. In (October) 1805 we read of "a Hotboy for Edward Moyers £1." This was mended in 1808, and again in the following year. But they did not learn to spell it correctly until 1823, when we read of "2 Hautboys and 1 Bassoon Reeds, and for singers 4s. 10d." In 1812–13, 6s. was paid for violoncello strings, but this may be only our old friend the "Base Viol," or, to put it the other way, he may have been only a violoncello, and not a double bass. Not before 1826 do we meet with the violin, and again only in 1828, in which year we get the only mention of the flute, thus—"By Jas. Cowland repairing G Flute & Hoop 3s. 4d." "Base Viol" strings and reeds were purchased in 1833, and then the orchestra seems to have come to an end, after doing duty for nearly fifty years. At any rate we find no further mention of either singers or instruments till 1844, when £1, 15s. was paid for tuning "the Organ," and £1 for blowing it. Two years later Charles Williams received £10, one and a quarter year's salary for playing it. Those who wish to know more concerning the "passing" of a village church band may read Thomas Hardy's *Under the Greenwood Tree* (Collins' Clear Type Edition, 7d.). Probably much that is written there of the west-country village would be equally true of our northern one.

THE TOWER OF LIVERPOOL

WITH SOME NOTES ON THE CLAYTON FAMILY OF CROOKE, FULWOOD, ADLINGTON, AND LIVERPOOL

By Ronald Stewart-Brown, M.A.

Read 11th November 1909

IT is certainly a remarkable fact that a paper has never been read to the Historic Society of Lancashire and Cheshire upon the Tower of Liverpool; nor, so far as can be ascertained, has any serious attempt ever been made to elucidate its history.

I fancy the view of most people who have taken an interest in the Tower has been that there is really not much more to be known than the facts, generally stated in local histories, that the Tower was built early in the fifteenth century by Sir Thomas Stanley, that he obtained leave to fortify it, that it was used by members of the Stanley family when on their way to and from the Isle of Man, and, after being the scene of numerous banquets and entertainments, it eventually passed into the hands of the Corporation of Liverpool, when it was used as a gaol, and was eventually pulled down about 1820.

To the early history of the Tower I confess I cannot add much, but there is a good deal of its later history, and especially during the Commonwealth, which has never been satisfactorily investi-

gated, and upon which new light can be thrown, and I shall try and make a clear and accurate statement of all material facts so far as I can ascertain them.

The fields and gardens, upon which the Tower was afterwards erected, pleasantly abutting upon the river Mersey, and within a stone's-throw of the Chapel of St. Mary del Key, were, in the twelfth and thirteenth centuries, part of the property of an offshoot of the de Lathom family, calling itself de Knowsley, and, as part of the estates of this family, probably passed back again to the main line upon the marriage of Sir Robert de Lathom with Katherine Knowsley toward the end of the thirteenth century.

The romantic story of the acquisition of these lands by Sir John Stanley is to be found in all our local histories, and I regret to have to come to the conclusion that it is only another specimen of the historical legends which it is our duty to reject.

The story is related by Seacome in his *History of the House of Stanley*, and is practically accepted and repeated by Sir James Picton in his *Memorials of Liverpool*.[1] Picton rightly ridicules Seacome's ludicrous statement that Sir John Stanley was born in 1354 and fought at Poictiers in 1357, saying that "Seacome perpetrates such grotesque blunders in the matter of dates that it is very difficult to come at the truth." Let us see if Picton is any less grotesque than Seacome in the matter of facts. Whilst he says, "It is clear any legend founded on a statement of this kind must be very mythical in its character," he goes on: "It is tolerably certain, however, that at a tournament held at Winchester, near the close of King Edward's reign, John Stanley greatly distinguished himself, was knighted on the spot, and by his knightly deeds won the heart of the fair Isabel of Lathom, who was present with

[1] 1873 edition, vol. ii. pp. 80, 88.

her father. On their marriage, which was celebrated soon afterwards, Sir John was presented by his father-in-law with the site of the Tower." Elsewhere in his volumes, Picton states that Sir Thomas Lathom had no legitimate male issue, and an only daughter Isabel. Let us now state a few real facts,[1] and I believe and hope this legend will disappear for ever.

Sir Thomas Lathom died in 1382, and the marriage of his daughter to Sir John Stanley did not take place for several years, and probably not before 1385. A dispensation was granted some years later.[2]

I am not concerned with the tournament and knighting, matters of everyday occurrence in those times, but the above statement renders it certain that the site of the Tower was not given to Sir John Stanley by his father-in-law on the occasion of his marriage. That it ever was given to him at all is rendered extremely unlikely by the following facts.[3] Neither at the time of her father's death, nor of her own marriage, was Isabel the heiress or only child of her father. Far from having no legitimate male issue, and an only daughter, Sir Thomas Lathom had five children — Thomas, Edward (who did not live to inherit), Isabel, Margaret, and Katherine. Upon Sir Thomas's death in 1382 the Lathom estates, including no doubt those in Liverpool, passed to the eldest son and heir, Thomas, who married Isabella, daughter of Roger Pilkington, and died within a short time, namely, on 3rd November 1383. A posthumous daughter, Ellen, inherited his estates. She only lived a few

[1] See *Lancs. Inq.* (Chet. Soc.), vol. xcv. pp. 10, 11, 17–20; vol. xcix. p. iv; *Vict. County History of Lancs.*, vol. iii. pp. 158, 251; *Rot. Parl.*, vol. iii. pp. 204–5; *Miscell. Palatina* (Ormerod).

[2] Lichfield Diocesan Register Books, 7 and 8, fol. 122; *Local Gleanings*, December 1875, p. 109; Ormerod's *Cheshire*, vol. ii. p. 412.

[3] See references given in note 1.

years. The records show she was alive apparently in 1387, but was dead by the end of 1390, and it was upon her death, and not before, that the Lathom estates passed to Isabel Stanley as the then heiress of Sir Thomas Lathom. Hence I think it almost certain that the site of the Tower passed, with the rest of the Lathom estates, to the Stanley family simply because Sir John Stanley married the ultimate heiress of the Lathom family.

The date when the Tower was built is generally given as 1406, being based on the well-known licence granted by Henry IV. to Sir John Stanley to embattle his house; but other statements are generally made in this connection which it is desirable to examine and correct.

Baines gives a reason for the fortification which may, of course, be the true one, but for which I know of no authority. He says[1] that, "in order to facilitate communication between Sir John Stanley's Lancashire and Cheshire estates and his new dominion in the Isle of Man, [Henry IV.] authorised him to fortify a house which he had built at Liverpool." Baines then gives a translation of the Letters Patent, which is more or less accurate except in one particular, which is of no little importance. The text of these Letters Patent has, so far as I know, never been printed, and an accurate copy will be found in the Appendix to this paper. The licence, it will be seen, granted leave to Sir John to embattle and crenellate his house in Liverpool. Now Baines in his translation makes the licence refer to "a certain house which he [Sir John] has *lately* constructed" in Liverpool, and comments, "It will be seen the above deed speaks of the tower or house as having been *recently* built by Sir John Stanley, and there is no evidence that any such building existed in Liverpool previous to his

[1] *History of Liverpool*, p. 180.

time." But, as will be seen on turning to the Letters Patent, the reference is to a certain house which he "de novo construxit" of stone and lime. It is difficult to say how the word "lately" crept in, as it is certain there is nothing of the kind on the Patent Roll or in the Calendar,[1] but it has been regularly repeated in local works down to the present time, and will probably appear again.

As an embattled building, therefore, the Tower came into existence in the year 1406, but it is a fair though not certain inference from the words "de novo construxit" that there had previously been a house upon the site. By whom or when this house was built there is no evidence to show, and I do not know that it is of any importance to do so.

One John the Irishman is generally credited with being the builder, or, at any rate, the rebuilder, of the Tower, and this may be borne out by a reference, said to be found in the Court-book of the Manor of Hale, a contemporary record,[2] which states that the tomb of John Leyot, rector of Bangor (who died in 1428), was built in Hale Chapel in his lifetime by two men, namely, John the Mason, the Irishman, one of those who had built the Tower of Liverpool for Sir John Stanley, and John the Northcountry-

[1] Picton may have known of the correct text; he refers (vol. ii. p. 80) to the "house he was then building (or extending) by the river side," and (vol. i. p. 37) "built or enlarged." Mr. Henry Peet, F.S.A., in *Liverpool in the Reign of Queen Anne*, p. 55 (additional sheet), quotes the licence as being one "to embattle a house *lately built* in Liverpole," and gives as his authority the Calendar of Patent Rolls; but he did not consult either the Roll or the Calendar, the latter giving the licence as one "to crenellate a house which he has built in the town of Lyverpole, Co. Lancaster." In Gore's *Annals of Liverpool*, 1910, the incorrect date of 1404 is given as the date of the licence. It is also there stated that the Tower was supposed to be built in 1252. A later entry, that in 1737 it was leased by the Corporation from Thomas Clayton, who had purchased it from the Earl of Derby, is, of course, also incorrect, as will be seen further on in this paper.

[2] See Gregson's *Fragments* (1869), p. 204; and *Hale Hall* (1881), p. 84. I have not been able to check this doubtful statement.

man, another mason, who had built Sir Henry Norris's vault.

We have no means of knowing what the original crenellated building was like, and alterations doubtless took place; but in all probability the building did not differ very materially from the earliest representation of the Tower in the well-known view of Liverpool about 1680.[1] One of the best pictures of the Tower is that shown in Richard Wright's oil painting of Liverpool in 1760,[2] now in the Public Museum, and there are numerous views reproduced in Herdman's four volumes of *Relics of Ancient Liverpool*.[3]

It is not possible to speak with any certainty as to the history of the Tower for the first century or so of its existence, but from the sixteenth century onwards it is safe to say that it could only have been an occasional residence of the Stanley family, waiting for a favourable wind to proceed to the Isle of Man, or upon the occasion of some important event calling upon them to pay a visit to the town.

Leland, writing about 1540, whilst noting that the Earl of Derby had a stone house in Liverpool (the Tower), and referring to Knowsley as "a pretty house" of the Earl, calls Lathom his "chiefest house." In a survey of the Hundred of West Derby, taken in 1590, the Tower is not included in a list of three of the Earl's chief houses, the third one on this occasion being New Park, Ormskirk. After the destruction, during the Civil War, of Lathom House, Knowsley took, and maintained, its place as the principal residence of the Earls of Derby until the present time.

In 1673, there is the often-quoted reference by

[1] For an account of this picture see vol. xxiv., N.S., *Trans. Hist. Soc. of Lancashire and Cheshire.*

[2] Exhibited (No. 103) in Historical Exhibition of 1907.

[3] For a list of views, see the catalogue of *Liverpool Prints and Documents* issued by the Liverpool Public Library.

Blome to "a stately and strong pile of building called 'the Tower,' erected many hundred years ago by Sir John de Stanley and his Lady."

So far, I have added little or nothing to the history of the Tower, but I now pass to a period when, owing to the control of it passing temporarily from the Derby family, we can find numerous records throwing light upon its history.

During the Commonwealth, one Alexander Greene seems to have got into possession of the Tower, whether under a lease from Lord Derby or not is uncertain, but it is very probable. We first hear of the name of Greene in this connection in 1651. In that year Lord Molyneux was captured and brought into Liverpool (which he was plotting with Lord Derby to take). He was temporarily imprisoned, no doubt in the Tower, under Greene's charge. In a letter dated 18th March 1650/1, from Richard Worsley at Liverpool to Edward Moore of Bank-hall, then in London,[1] we read: "here is great newes in Leverpoole. . . . My Lord Mollineux was yesterday brought prisoner to the towne with most of his gentlemen and horses. . . . Mr. Alex. Greene in Leverpoole hath a guard set on him with many others; they must goe very speedily to Chester."

The Tower of Liverpool was, of course, among the estates of the Earl of Derby forfeited for his treason to the Commonwealth, and sequestrated. It was probably alternately occupied by whichever party, Royalist or Parliamentary, happened to be in power in Liverpool, and used as a temporary prison. After the execution, in 1651, of Lord Derby, contracts were made by the trustees of the forfeited estates for the sale of various portions, and Alexander Greene entered into an agreement for the purchase of the Tower outright. He is called

[1] Moore MSS., vol. xiii. *Trans. Hist. Soc. of Lancashire and Cheshire*, p. 272.

"tenant" in some of the documents, and the Tower may have been let to him by the trustees, but I think he probably had been a tenant of the Earl before the estates were forfeited.

The date of this transaction has been incorrectly given. The following entry appears in the books of the Committee for Compounding:[1]—

"16th SEPT. 1653.

"By the Trustees for y^e^ sale of Lands and Estates forfeited to y^e^ Commonwealth for treason.

"Alexander Greene, gent., on the 25th May 1653, contracted with the said trustees for the purchase of two tenements with appurtenances in Liverpool in the several occupations of the said Alexander Greene (known by the name of the Tower), and Ralph Massam,[2] or their assigns, Co. Lancaster, late part of the estate of James, late Earl of Derby. And the said Alexander Greene having paid the first moiety of the purchase money on the 16th Sept., as appears by the acquittance of the monies raised by sale of the said estates, It is ordered that the Com^rs.^ for Compounding at Goldsmith's Hall give direction to the Com^rs.^ of Sequestration to permit the said Alexander Greene, or his assigns, quietly to enjoy the premises and take the issues and profits thereof, and that the occupier of the premises do pay rent unto the said Alexander Greene, or to such person as he shall appoint."

[1] *Committee for Compounding*, vol. xix. No. 527, fol. 451. See also vol. xviii. A, No. 896.

[2] Ralph Massam's property has nothing to do with the matter.

It will be seen from this that in May 1653 Greene contracted to buy the Tower, and on his paying a moiety of the purchase money on the 16th September, an order was made by the Treason Trustees that the Commissioners for Compounding should direct the Commissioners for Sequestration to allow Greene to take possession of the Tower. The actual discharge from sequestration took place three days later.[1]

I have been quite unable to discover any proof that Greene ever succeeded in obtaining any benefit from the contract. Indeed, it is possible, though I do not think so, that he was only a dummy set up by the Derby family to purchase. At any rate it is certain, as we shall see, that in a very few years the eighth Earl of Derby had got back the Tower into his possession. The exact process of recovery is not clear. If Greene was a dummy, it was easily done. If not, then, on the analogy of other cases, it is probable the contract was annulled on payment of compensation to Greene, perhaps under the permission, given in 1653 to the eighth Earl, to repurchase the family estates. It it true that in 1662 and 1663, ten years later, Alexander Greene is rated in the Hearth Tax returns[2] for Liverpool as the occupier of a house in Water Street with nine hearths, which, no doubt, represents the Tower, but this is consistent with his

[1] Mr. Henry Peet, F.S.A., in his additional sheet to p. 55 of *Liverpool in the Reign of Queen Anne*, quotes an entry in the *Calendar of the Committee for Compounding* (1643-1660)—not, as he terms it, "Calendar of State Papers (Domestic Series)"—part ii. p. 1118, giving the discharge of the Tower from sequestration. To the date given, "Sep. 19," he adds "1646," but, of course, that year is out of the question, as the Earl of Derby only compounded in 1649. It is true the running date 1646 is given at the top of the page of the Calendar, and this is misleading. But the entries immediately above and below the one in question are for the year 1653. In addition, references are given in the margin of the Calendar to vol. xviii. A, p. 896 of the proceedings, and to the orders (O. T. T., 79, 471) of the Treason Trustees, which enable the correct date to be given as September 19, 1653.

[2] Partly printed for 1662 in vol. xvi., N.S., *Trans. Hist. Soc. Lanc. and Cheshire*, and for 1663 in *Moore Rental*, ed. Irvine.

being either tenant or owner, and there is no doubt it was the former.

There were two Alexander Greenes (apparently father and son) who were prominent locally at this date, and it is not clear from the evidence which was the one connected with the Tower. Alexander Greene, senior, was the second recorded Postmaster of Manchester, and as in his time that office was more concerned with horses than with letters, its holder was usually an innkeeper. Greene was the landlord of the "Eagle and Child" in St. Mary's Gate, one of the two best inns in Manchester. In 1648 he became postmaster, succeeding Richard Halliwell, the rival innkeeper, who favoured the Royalists. Greene's sympathies were with the Parliamentary party, though his inn is said to have been named after the badge of the Derby family. It was in his inn that the famous banquet was given in 1642 to Lord Strange which was disturbed by the Roundheads.[1] He was one of the trustees of Humphrey Chetham in 1651. On the Royalist revival in 1660 the postmastership reverted to the Halliwells again for a couple of years, but Greene again held office from 1662 till his death. His widow then applied for it, but being unable, through financial embarrassment, to pay her husband's debts to the post-office, the postmastership was given to another.[2]

Probably the Alexander Greene who occurs frequently in the Liverpool municipal and local records, and who, in 1657, was elected "Chief Bailiff for the Mayor and for his Highness the Lord Protector," and in 1660 served as Mayor, was a son. Apparently the father died in 1665 or 1666, without a will. He may be the same as "Alexander Greene

[1] *Civil War Tracts* (Chet. Soc.), vol. ii. p. 32.

[2] Many facts about Greene are given in a paper by C. Roeder in vol. xxii. *Lancs. and Ches. Antiq. Soc.*, p. 1, on "Beginnings of the Manchester Post Office." I have also used information kindly given to me by Mr. Ernest Axon.

of Manchester vintenor," who was buried there on 2nd August 1666, but the lease next mentioned refers to him as dead in 1665. Administration of his estate was granted at Chester in 1666.[1]

Returning again to the Tower, by July 1665 it is certain that Charles, Earl of Derby, was once more in possession of it, for, on the 14th of that month, he granted a lease of it, "late in the occupation of Alexander Greene deceased," to Lawrence Halstead of Rooley, Lancs, gent., and George Hill of St. Clements Danes, London, gent. It is possible this lease was taken in their names to avoid claims by Greene's creditors. At any rate, in July 1667 the lessees executed a declaration that they held the lease in trust for Ruth Greene of Manchester. This was the widow of Alexander Greene, and she was the daughter of Thos. Atherton of Liverpool and Ruth his wife.

Atherton was one of the town's bailiffs in 1668, and died on 23rd October 1671, and both he and his wife were buried in St. Nicholas' Church. His widow seems to have occupied the Tower after his death, and this led me to make an examination of the Hearth Tax returns[2] for 1673. I found there

[1] The inventory, dated 2nd August 1666, of his effects, of the value of £362, is of great length. It mentions articles in a great number of places. In "the barne" was an "eagle and child signe at the dore," valued at 6s. 8d. Other places mentioned are as follows: "The cellar, the Closet next to the Pump, the closet nearer the Stable, the ostlery and Corn Chamber, the Great Chamber, the Nursery, the Chamber called Paradise, the Stayrehead chamber, the little store-house in the Gallery, the Mayden's Chamber, the Green, Yellow, Rose, and White Chambers, 'Cambridge,' the garden Chamber, the old exchange, the gallery, 'Oxford,' the Angel, 'Labour in Vayne,' the Star Chamber, the mayd and men servants' chamber, the new building, the brewhouse, Westminster, ye closet in Westminster, the new exchange, the pump parlor, London, the napery, the Bull's Head, the Siddar, the Barre, the Bell, the 'billyard' rooms, &c."

[2] Vol. xvi., N.S., *Trans. Hist. Soc. Lanc. and Cheshire.* It is worth noting that Thomas Clayton is rated in 1673 for six hearths, but from the position of his name in the return and for other reasons I think it is certainly not for the Tower, but for the house referred to in note 1, p. 54.

the name of Thos. Atherton rated in respect of eight hearths (? in Water Street), which, I think, must be for those of the Tower. Whether or not this was a son, I do not know, but the Athertons may have occupied the Tower under some arrangement with their daughter, Mrs. Greene.

If further proof is needed that the Tower had been recovered by the Earl, it will be found in an entry in the Corporation records for 1669. In that year Lord Derby sent a messenger to the Mayor, demanding possession of the houses "lately erected between *my house called the Tower* and the sea," which doubtless were a great obstruction and annoyance to his tenants. This demand the Corporation declined to comply with, on the grounds that the houses were built on Corporation land, and apparently they successfully maintained their ownership. At any rate the Corporation kept on enclosing and leasing the land to the west of Church Alley (afterwards Prison Weint) and the churchyard, and a thick belt of houses sprang up alongside the Tower. Among these buildings was the Merchants' Coffee House and Assembly Rooms, which stood next to "the Strand," at the south-west corner of the churchyard. In 1883 all these houses, and part of the churchyard, were purchased by the Corporation for £60,000, in order to widen the street alongside George's Dock.

Returning to the Athertons,[1] in 1682 we find Mrs. Atherton entering into an agreement with "Thomas Clayton of Liverpool, Merchant," apparently for the sale of her interest in the Tower. What this exactly was is not quite clear, as the document itself is not available,[2] but in a few weeks

[1] About 1677, Mrs. Atherton had occupied a shop, house, and cellars "next unto Water Street on the north side," which were let in that year by Lord Derby to John Waring. *Ex inf.* W. F. Irvine.

[2] The contract, and the subsequent lease, mortgage, and release, are mentioned in a schedule of deeds at the end of the deed of 11th November 1775, subsequently mentioned.

she obtained a transfer from Halstead, the surviving lessee, and her daughter Ruth, of the rest of the Derby lease of 1665. This was, no doubt, at once surrendered, as the same year the ninth Earl of Derby granted a new lease of the Tower for three lives to Thomas Clayton. The latter immediately mortgaged it to Mrs. Atherton, probably to secure the money he had agreed to pay for the sale of the old lease, and on the same day he obtained a release from Edward Lewis of Liverpool and Elizabeth (Greene) his wife, Catherine Greene, and Ruth Greene, of any interest they might have in the Tower. These ladies were the children and widow of Alexander Greene, and no doubt it was thought wiser to obtain a discharge from them. The mortgage to Mrs. Atherton, who died in 1692, seems to have been discharged in 1683.

Thomas Clayton was a prominent Liverpool merchant. He was not a freeman born, and in 1672 (after he had probably come here from London) he was permitted to trade in the borough on payment of 20s. a quarter during pleasure, and payment of town's customs, leys and arrears of fines. His rise locally was very rapid, and in 1680 he was elected Mayor, being specially admitted to the freedom for the purpose.

In the rate assessment book of 1708[1] we find him rated as "Alderman Tho. Clayton" for the Tower and adjoining tenements. This has led to the assumption that he was the owner, and had acquired the Tower from or through the representatives of Alexander Greene. There is no foundation, except this entry, for treating him as, at any time, the owner of the Tower. He never was, and it is certain he is rated as occupier

[1] Recently edited by Mr. Henry Peet, F.S.A., for the Historic Society under the title of *Liverpool in the Reign of Queen Anne.*

only, being a tenant of Lord Derby, as already indicated.[1]

The identity of Thomas Clayton was a more difficult matter. It has always been assumed that he was a brother of William Clayton the M.P. and Mayor of Liverpool. I am satisfied that he was not. The fact is of some importance, and I have taken a good deal of trouble to ascertain who was the occupier of the Tower in 1708.

The known facts about Alderman Tho. Clayton have already been shortly stated, and are more or less consistent with his having been one of two persons.

To enable this to be understood, it is necessary to give a brief account of the families of Clayton of Fulwood and Adlington. I found, when I embarked upon this inquiry, that the printed and MS. pedigrees of these families were all inaccurate or incomplete, and therefore I compiled one for myself, which has been printed in *The Genealogist*,[2] and clears up a good many errors already in print. For details of this family, therefore, reference can be made to the pages of *The Genealogist;* but, shortly, it may be here stated that the Claytons of Fulwood and of Adlington were both descended from the Claytons of Crooke, who were established at that place near Leyland early in the sixteenth century. The elder branch, after producing a notable person in Dr. Richard Clayton, Master of St. John's College, Cambridge, Dean of Peterborough, and Archdeacon of Lincoln (*d.* 1612),[3] ended in an heiress, who married one of the Leycesters of

[1] A marginal note in the *Moore Rental* (edited by W. F. Irvine), p. 115, mentions "His great house next the Water, Mr. Clayton lives there." It is not clear whether William or Thomas Clayton is referred to, nor where "the great house" was; it can hardly refer to the Tower, as we do not hear of Thomas as tenant of the Tower till 1682. Probably it was at the bottom of More Street. See note 1, p. 51.

[2] January 1910, vol. xxvi. p. 129.

[3] See *Dict. Nat. Biog.*

Toft in Cheshire. The younger branch acquired the Fulwood estates, and waxed and flourished exceedingly.

The acquisition by the Clayton family of "The Crook," or Crowke Hall estate in Whittle in the Woods took place in the early years of the reign of Queen Elizabeth, and was the occasion of much litigation,[1] which incidentally reveals a good deal of family history.

Before the Claytons obtained it, Crooke Hall seems to have been owned in moieties by two heiresses, Mary, the wife of John Ward of Denford, in the county of Northamptonshire, and Katherine, wife of one Henry Richardson. Some time before the year 1570 these moieties were conveyed, the one to Thomas Clayton of Leyland and his heirs, and the other to his brother John of Ulneswalton. At the time, however, of the sale there were in existence leases by the Wards and Richardsons of their moieties to Oliver Breres and Cecily his wife, and William Garstange, a son of Cecily, presumably by a former marriage; and between 1570 and 1573, the Duchy records are full of bills and pleadings relating to the property.[2] To further complicate the matter, the Breres and Garstange sublet to James Anderton for a term of years, and he also joins in the litigation. The dispute was submitted in 1572 to John Fleetwood, Esq., who decided that the lease must be given up to the Claytons, who were to grant Garstange a lease of a moiety for fourteen years, and give the Breres £30. The lessees refused to recognise the award, and the litigation recommenced. Eventually the Chancellor referred the dispute to Sir Richard Sherborne and William Farington, who decided in April 1573 that

[1] *Duchy Pleadings*, vol. 81 a3, 82 c10, c10a, 86 c11; Draft Decrees 15 Eliz., No. 21; vol. 144 a20, 145 c5, 149 c18, 208 a22, a22a, 210 c14.
[2] *Vide* note 1.

the leases by Cecily Breres and Garstange (Oliver being then dead) must be given up, and that practically the whole estate (including the Hall) should be leased to Anderton for eleven years at £4, 17s. 6d. a year.

So far the Claytons had presented a united front, but the undivided moieties were at a somewhat later date the cause of an acute family quarrel. John Clayton seems to have made several settlements of his moiety; first in favour of his second son, Richard, then in favour of Ralph, and then in favour of his eldest son, William, who died unmarried. Upon the death of John in 1586, Richard Clayton, then "a poor student at Cambridge, and seldom going to the county of Lancaster," found that his brother and sister had got hold of the deeds, and a bitter quarrel broke out; the family being divided into three camps, Richard Clayton attacking his uncle Thomas and his brother Ralph, and his three sisters (who were to take in default of male issue) attacking all parties. Accusations of burning and cancelling the deeds and of fraud were freely made. Probably a compromise was ultimately effected, and in the result John Clayton's moiety descended to his grandson, John, son of Ralph, in default of issue of Richard. His son in turn died without issue, and the moiety passed to the Leycesters of Toft by the marriage of a daughter to George Leycester.

Dr. Kuerden in his manuscript itineraries of Lancashire has several references to the Crooke property: "Here unto the Water of Lostock is a fair fabrick of stone called the New Croke, which was erected by Richard Clayton, Dr. of Divinity and master of St. John's College, Cambridge, who purchased [*sic*] the estate in Whittle called the New and Old Croke, where the family of Clayton was planted for some generations. The New Croke descended to Richard Clayton, Esq., who dying

without heirs male it descended by a sister to the Leicesters of Toft in Cheshire, the present owners thereof; and the other House called the Old Croke descended to another brother of the family of Clayton, and by Captain Robert Clayton, now of Fulwood, was sold to Mr. William Croke, who likewise purchased the half lordship of Whittle from James Anderton of Clayton, Esq." [1]

Writing again later, about 1695, Dr. Kuerden says that, after passing Euxton and Werden Halls, "you leave on the left the Old Croke, a seat lately belonging to the ancient family of the Claytons, and on the same hand the New Croke, lately belonging to Ric. Clayton, Esq., but now to Leicester of Toft and the family of Cross of Cross Hall." [2]

The Fulwood estates were part of the waste of the Forest of Fulwood, and belonged to the Duchy. They had been leased by the Mayor and Burgesses of Preston, but by letters patent dated at Greenwich, 22nd December 1551, Edward VI. granted them to Anthony Browne, one of the Justices of the Common Pleas, afterwards a Knight, and a famous person in his day. Sir Anthony, in the following February, transferred the estates to John Charnock of Farrington and Thomas Clayton, then described as "of Bockinge, Essex," [3] and since that date they descended as part of the Clayton estates.

Turning now to the identification of Alderman Thomas Clayton, it will be seen from the pedigree that Thomas Clayton of Old Crooke and Fulwood, who married Ann, daughter of Robert Blundell of Ince, and died in 1669, had two sons, Robert, of Fulwood, and Thomas, afterwards of Adlington, who both married sisters, daughters of John Atherton of Atherton.

[1] Baines' *Hist. of Lancs.*
[2] *Local Gleanings* (1875), vol. i. p. 212.
[3] *Duchy Pleadings*, vols. 58 c14, 14a; and vols. 62 c5.

From Robert of Fulwood was descended William Clayton, Mayor of Liverpool in 1689, and for many years M.P. for the town; also John Clayton, Dean of Kildare, and his son, Dr. Robert Clayton, the famous Bishop of Killala and Clogher.[1] With the latter, who died in 1758, the male issue of the Fulwood family ended, and the estates were, it is said, left by him to his nearest male relative of the Adlington branch. But in the descendants of a marriage of Bishop Clayton's sister into the family of Browne of Browne's Hill, County Carlow, the family name was still retained, by their assumption, in 1889, of the name of Browne-Clayton.

Thomas Clayton, brother of Robert of Fulwood and *uncle* of William Clayton, M.P., is one of the persons whose claim to have been "Alderman Thos. Clayton" had to be considered. The other is Thomas Clayton, eldest *brother* of Wm. Clayton.

Thomas Clayton, the eldest brother, was aged 15 in 1664[2] and would therefore be only 31 in 1680, rather young for a Mayor. In a MSS. pedigree I have seen, and in the notes to the Leyland Register,[3] he is said to have been Rector of Bolton in Bolland in 1661. This could not be, as he would then only be 12 years old, and besides we know the Rector of Bolton in Bolland was a distant cousin. Thomas Clayton, the brother, is entered on the Burgess Roll of Preston in 1662 as a son of his father, but not sworn until 1677. In 1667 he entered Magdalen Hall, Oxford, and Gray's Inn, and became a barrister in 1674. I cannot trace his death, but his younger brother William obtained the Fulwood estates, and this goes to show that Thomas probably died before him and without male issue.

[1] See *Dict. Nat. Biog.*, where he is wrongly given as a son of Dr. Robert Clayton and Eleanor Atherton.

[2] Dugdale's *Visitation of Lancs.*

[3] *Lancs. and Ches. Rec. Soc.*

Thomas Clayton, uncle of William Clayton, M.P., and brother of Robert of Fulwood, is described in Dugdale's Visitation of 1664 (when he would be 34) as a citizen of London, but seems to have come later to Liverpool, and, probably later still, purchased the manors of Adlington and Worthington. He first appears on the Preston Guild Roll in 1642, but he was not sworn until 1681. Both Thomases appear on the roll of 1662 as sons of their respective fathers, but Thomas (sworn 1681) was a foreign burgess. The Roll of 1682 practically settles the matter of identity. In it we find as "in-burgesses" Robert Clayton of Fulwood, and his son Thomas (sworn 1677). We also find as foreign burgesses "Thomas Clayton of Liverpool, Mercator" and his three sons, Richard, Thomas, and Robert. Thus, it is clear that Thomas Clayton of Liverpool, merchant, was not the brother of William and the son of Robert, and everything points to the conclusion that the Thomas who was sworn in 1681 is the same as "Thomas of Liverpool, mercator," mentioned in 1682. Further, Dr. Kuerden refers to Thomas of Adlington as "merchant Thomas Clayton." [1] I think, therefore, that it is certain that the lessee of the Tower from 1682, and its occupier in 1708, was Thomas Clayton, merchant, of Adlington and Liverpool, the uncle of William Clayton, M.P.

Thos. Clayton of Adlington died in 1722 (N.S.), at the great age of 91, and was buried at Standish Church, where there are several monumental inscriptions to the family.

By his will dated 11 August 1721 (Chester), he gave £400 each to the children of his son

[1] In describing the road from Wigan to Preston by Chorley, he says, "You pass by Worthington Hall belonging to Merchant Tho. Clayton; half a mile further you leave a fair built Fabric also belonging to the sd. Merchant call'd Adlington Hall."—*Local Gleanings* (1875), vol. i. p. 220.

Richard, £150 to his grandson, Thos. Williamson of Liverpool, merchant, and £40 each to his granddaughters, Hannah, Ellinor, and Phebe Rigby. To his eldest surviving grandson, William Clayton, his silver tankard and candlesticks, and "odd peeces of gold and silver," all his books and his house, lands and slate quarries in Billinge. The rest of his property he left to his son Richard,[1] whose brothers had probably predeceased their father, as they are not referred to in the will. Minute directions for his funeral were given, and his son and daughter-in-law and grandson were to have £12 for mourning, and a dole of 2d. apiece was to be given to the poor. RICHARD CLAYTON, the son, thus succeeded to the Adlington estates, but, as we shall see later, did not live long to enjoy them.

We must now return to the Tower and its fate.

On the death, in 1702, of the ninth Earl of Derby, his unentailed estates, which included the Tower of Liverpool, passed to his daughter Henrietta as heiress. She married Lord Anglesey, and subsequently, in 1714, Lord Ashburnham, and by the marriage settlement, dated 22nd July 1714, the Tower, with many manors and other estates, was vested in trustees for the purpose of raising funds to perfect the trust. The trustees derived considerable sums from the rents and profits alone, but in 1717 it became necessary to sell outright many of the properties. It was in this way that the manors of Everton, West Derby, &c., came to be sold to Isaac Greene, and this was also how the Tower of Liverpool passed away from the Derby family.[2]

[1] The will mentions "my lease of the two Crossfields in Lpool for which I pay no rent during my life but for which 10s. p.a. must be paid afterwards." (These fields are, I think, those mentioned in the assessment of 1708.) The lease of the Tower is not mentioned, but this is not to be expected, as his son had bought the Tower (as we shall see) five years before his father's death.

[2] The facts given here correct a number of statements about the Tower, made on page 55 and the additional page (subsequently issued)

By deeds of 31st January and 1st February 1717,[1] Lord and Lady Ashburnham and their trustees sold to RICHARD CLAYTON OF ADLINGTON for £1140 "all that capital messuage and tenement with the appurtenances in Water Street, Liverpool, commonly called the Tower."

The sale included the Tower Gardens, then unbuilt upon, on the north and east sides of the Tower, and was subject to a chantry rent of £2, 16s. 8d. "usually paid by the ancestors of Lady Ashburnham to the Crown for their lands in Liverpool," and then payable to the Duchy Receiver:[2] also to the annual burgage rent of 19s. 8d., which appears in the King's rental of Liverpool in 1553 as payable by Lord Derby, and was in 1717 payable to William Lord Molyneux and his heirs as part of the farm of Liverpool.

Richard Clayton died on the 18th December 1728 at the age of 60. His eldest son, Thomas, had died when a boy at Brazenose College, Oxford, and by Richard's will (which was proved at Chester in 1729) he left the Tower of Liverpool to his eldest

of *Liverpool in the Reign of Queen Anne*, and put an end to much of the mystery which has hitherto surrounded the Tower and its fate.

[1] Lease and Release between (1) John Lord Ashburnham and his wife, Richard Wareing, Bryan Fairfax, jr., Thos. Ashurst (the settlement trustees); (2) Francis Brace, Charles Barnard, Morgan Mathew, and Jas. Mackburnie; (3) Richard Clayton of Adlington.

[2] The following specimen of a chantry rent-receipt is preserved in the Binn's Collection, 31,214 :—

Numb. 6.
County of Lancaster. A House in Chapel St.
Received the 12th Day of April 1777 from Richd harry Price, Esq. the sum of one shilling and eightpence due to the King's Majesty for one half years Rent ended at Lady Day last. For whose use I say received £0 1 8
[ ] *Receiver*

You are hereby required without further notice to pay this rent due at Michs next at the Sign of the Angel and Crown in Liverpool on the 11 day of October following in the morning and bring with you this Acquittance, otherwise a Messenger will be sent forthwith to levy the same. *Pro acqt* 4.

surviving son, WILLIAM CLAYTON of Adlington, and his heirs, with limitations to his other sons on failure of issue.

In 1734 Lord Derby was Mayor of the town, and it is recorded by local historians that he gave a grand entertainment in the Tower to the burgesses of the town. Discredit has recently been thrown upon this statement, apparently on the grounds that the Tower was not then the Earl's property, but that is not a good reason for doubting the entertainment did take place, and in the Tower. To begin with, the statement has, I believe, been put forward on the authority of Seacome,[1] a contemporary historian, who, though quite unreliable for earlier historical statements, had been steward of Lord Derby's household about this very time, and therefore may be credited with knowing what happened; and secondly, and of more importance, we have as a fact that several rooms in the Tower were at the date in question let out by the Claytons for assembly and entertaining rooms. There was no fine Town Hall suite of rooms at this date, and what more natural than for the Mayor to take these rooms for his party, rather than an inn?

William Clayton died, unmarried, on 19th June 1735, and the Tower and gardens passed to his next brother, RICHARD CLAYTON. The latter was a most distinguished lawyer, a K.C., and Recorder of Wigan, and in 1765 was appointed Lord Chief-Justice of the Common Pleas in Ireland.

About the time of the death of William Clayton in 1735, the Tower, or part of it, seems to have been occupied by Mr. John Earle, who was the eldest son of John Earle of Warrington, and the ancestor of the present Earles of Allerton Tower and Liverpool. John Earle had been closely connected for

[1] I cannot, however, find it stated in his *History of the House of Stanley*.

years with the Clayton family, having originally gone into the office of William Clayton, M.P., and having been associated with him until Clayton's death in 1715.

In 1737 the Town Council decided that the common gaol of the town, then situate in Castle Hill,[1] was too small, and finding there was an opportunity of leasing the vaults and rooms in the Tower, lately occupied by Mr. Earle, negotiations for a tenancy of the whole Tower were opened, and a lease of 99 years at £28 a year agreed upon. Later on the Corporation viewed the house at the corner of Tower Gardens, occupied by Robert Linnaker, mariner, and commanding the entrance up to the Churchyard, and decided it was not desirable it should be let to any one not under their control. They therefore obtained its inclusion, for £4 a year, in the lease which was granted by Richard Clayton[2] on 7th February 1737/8. The Corporation bound themselves to pay 10s., the proportion of the burgage rent, and 20s., the proportion of the Chantry rent, attributable to the Tower. One of the cellars was known as the Leather Hall, and on November 6, 1745, an order[3] was given to fit this hall up as a guardroom for the soldiers. Steps were at once taken to make the Tower into a Prison, with rooms for a House of Correction, and iron grates, ceilings and other things were removed from the old prison and re-

[1] The Corporation were rated for the old prison in 1708, *vide Liverpool in the Reign of Queen Anne*, p. 87, where Mr. Peet assumes the prison was in the Castle, but this would appear not to have been so. In 1743 the Corporation leased to Henry Winstanley, ironmonger, a house lately built by him "on the south side of the top of Moor Street, otherwise Castle Hill, on part of the site of the Old Prison." Rent £1. The lease was "for such term as the Corporation then had in the [new] Prison called the Tower in Water Street."

[2] Gore's *Annals*. See note 1, *ante*, p. 45.

[3] Picton's *Municipal Records*, vol. ii. 108. There was another Leather Hall at the Castle (vol. ii. 55).

fitted. The upper rooms, which previously had been let by the Claytons for the purposes of an assembly, were reserved under the directions of the Council, and the Serjeant-at-Mace was made accountable to the Treasurer for the fees paid by those hiring them; these were to go towards paying the rent, and the Serjeant was to hold the rest of the rooms to the order of the Council, rent free, with liberty to make use of the assembly rooms at all times, unless hired for entertainments. The assemblies, which took place fortnightly for dancing and cards, were great features of the social life of Liverpool, and in 1748 the Council granted the ladies and gentlemen of the town permission to use the Tower rooms gratis. A great compliment to the ladies of Liverpool was paid to them in 1760 by Samuel Derrick, the celebrated Master of Ceremonies at Bath, who found at the assemblies women "elegantly accomplished and perfectly well dressed. The proceedings are regulated by a lady stiled the Queen, and she rules with very absolute power." A very modern note is struck when we find that in 1754 "the Queen" sought leave to lock up "the tea room" in the Tower, and obtained the consent of the Council to her so doing.

Upon the opening of the new Town Hall in 1754, the assemblies were transferred there. The throne erected for "the Queen" was apparently a coveted object, and Mr. Goore and Mr. Winstanley were deputed to negotiate with Mr. Atherton for its purchase. The latter was, no doubt, one of the managers of the assemblies, who obtained leave for the ladies to have the use of the new Council chamber and furniture for the future assemblies.

The vacated rooms in the Tower were ordered to be fitted up for the local Court of Requests, for the holding of which an Act had been passed in 1752.

During these years houses and warehouses, form-

ing "Clayton's Buildings," were built on the vacant gardens to the north of the Tower, and leased out by the Claytons. In a lease of 1757, we find mention of "the *new* opening or passage from the Tower Gate into the Chapel yard." On the east side of this passage (which became known as Tower Gardens), up a kind of court or *cul-de-sac* (originally a cartway), there was a well and spring, with a pump, from which the surrounding lessees in olden times had the right to draw water on payment of 1s. a year. This was called the "old well house pump."

Upon being appointed Lord Chief-Justice in Ireland, the Rt. Hon. Richard Clayton, in March 1765, in consideration of his brotherly affection, stimulated by a cash payment of £200, leased the whole of his Liverpool property to his younger brother, MAJOR EDWARD CLAYTON, of North Hall, Worthington, for life, at a nominal rent, and the legal farce was performed under which John Brownell, the family lawyer, handed over formal possession to his own clerk, Gerard Potter, on behalf of Major Clayton, who thus temporarily acquired the Tower, subject to the Corporation lease.

The Rt. Hon. Richard Clayton died without issue on the 8th July 1770, aged 68, and his memory, like that of his parents, is kept green by a memorial tablet in Standish Parish Church. His will was proved by his brother, Major Clayton, and a nephew, Richard. The latter was the son of another brother, John Clayton of North Hall and Chorley, who had four sons, viz. Richard, Robert, William, and John, of whom later. After giving an annuity to the deceased's surviving sister, Betty, he settled his manors of Adlington and Worthington on Major Clayton for life, and then on the nephews in turn on failure of their issue; his manor of Eccleshill, with other property in Abram and Hindley, was to be

sold. To his nephew, John, the deceased left all his Liverpool property, and directed Major Clayton to surrender his life interest in it, or to pay compensation to his nephew.

Major Clayton preferred the former course, and in March 1771 JOHN CLAYTON became absolute owner of the Tower. Major Clayton died without issue the following year.

Returning for a moment to RICHARD CLAYTON, of Adlington, the eldest nephew, who, like his uncle, was a most distinguished man. During his life he held the offices of Recorder of Wigan and Constable of Lancaster Castle. He was a F.S.A., and a translator of French and Italian works. In 1774 he was created a baronet. Later on he became British Consul at Nantes, where he died on April 29, 1828.[1] He had married Ann, daughter of Dr. White, surgeon, of Manchester, and left an only daughter, Henrietta, who married Lieut.-General Robert Browne, of Carrigbyrne, Co. Carlow, whose grandfather, William Browne, of Browne's Hill, had married a niece of William Clayton of Fulwood, M.P. From these two marriages sprang the two lines of Browne-Claytons. One has already been mentioned.[2] The other arose when Lieut.-General Robert Browne assumed that name when his wife inherited Adlington in 1828. As will be seen from the pedigree, the Adlington branch terminated in 1854 in co-heiresses, the other branch being now represented by Major Robert Clayton Browne-Clayton, of Browne's Hill.

ROBERT CLAYTON, brother of Sir Richard Clayton, succeeded as second Baronet in 1828, but dying without issue in 1839, the baronetcy became extinct.

JOHN CLAYTON, the youngest nephew of the Rt. Hon. Richard Clayton, and owner of the Tower,

[1] For further details see *Dict. Nat. Biog.*, and *Genealogist*, loc. cit.
[2] *Ante*, p. 58.

took Holy Orders. He seems to have lived at one time at Pennington, Ulverston, and ultimately became rector of Frome St. Quintin, and Evershot, in Somerset. He married Katherine Fisher of Shevington, Lancashire, and probably died in 1827, when a new rector of Evershot was appointed. Presumably also he died without male issue, as otherwise the baronetcy would have passed to his son on the death of his brothers.

In 1774, a proposal was made to the Corporation by the Rev. John Clayton, and his brother, Sir Richard, for the sale outright of the Tower and its precincts. This proposal was agreed to, and the price was settled by arbitration. £905 was fixed as the value of the Tower, the Rev. John Clayton's house in front of it, the Prison Court, and a warehouse at the north-east corner. These properties were conveyed to the Corporation by the Rev. John Clayton by a deed dated 11th November 1775. The house at the south-east corner next to Tower Garden, then occupied by Mr. John Brownell, the Claytons' lawyer, was the property of Sir Richard Clayton as heir of his father John, and by a deed of the same date Sir Richard and his mother, Elizabeth, joined in selling it to the Corporation for £630, 10s. The Corporation undertook to pay their proportion of the burgage and Chantry rents. The former ceased to be payable when the Corporation bought up the fee farm lease of the town from Lord Molyneux, but what happened to the Chantry rents I do not know.

As will be seen later on, the Corporation title-deeds got lost, and in 1805 this occasioned some difficulty. So far as can be ascertained, they remained lost until this year, when a search among the muniments, made by Mr. James Touzeau at my instance, brought them to light again, and enabled me to make use of their contents.

Upon each of the deeds just mentioned is a plan of the property conveyed by it, and these two plans would be of great importance were it not for my discovery of a complete contemporary ground plan of the whole site. Sir James Picton states the only reliable ground plan of the Tower is that on Perry's map of 1769, but this is on an extremely small scale, and is not really of much use. Besides the plan I am about to mention, I also found a small undated scaled plan in the Binn's Collection,[1] and with these three it is possible to get an accurate idea of the internal arrangements and surroundings of the Tower when it was sold. I found the large ground plan[2] here reproduced in a large volume lettered "Plans of the Liverpool Pot Works," in the Public Museum. This volume contains a most valuable collection of local plans, chiefly by John and Charles Eyes, the Corporation surveyors, upon whose work I hope some day to read a paper to the Society. The plans, chiefly of potwork sites, were collected by Mr. Joseph Mayer, and by him bound into the volume referred to. As Mr. Peter Entwistle, of the Public Museum, proposes to reproduce most of these plans in his forthcoming work on Liverpool Pottery, it is unnecessary to say more about them here, except to point out that they have great value beyond their importance in relation to pottery, inasmuch as they frequently show the surrounding streets and land-marks, and give the names of owners, at dates when the directory did not exist or was of a crude character.[3]

It was among these pottery plans that I found the plan of the Tower. It is a tracing lettered "A

[1] Vol. ix. 91 (4).

[2] The facsimile made for the purpose of reproduction here is now deposited in the Athenæum Library, Liverpool.

[3] References to upwards of twenty of these plans were made by Mr. Charles Gatty in his paper on the Liverpool Potteries, in vol. xxxiii. of the *Trans. of the Historic Society.*

NB The Tower, Mr Baldwin's Warehouse & Mr John Clayton's house & the prison court are sold to the Corporation of Liverpool and plan'd on their assignment 28th Oct 1775 and house in occupation of Mr Brownell is sold to the Corporation and plan'd on assignment at the same time

A plan of the Tower or prison several houses at the bottom of Water Street & fronting Tower Garden & the Old Church Yard plan'd for sale Sept. 1774 per order of : Mr John Brownell.

The Tower 2 dwelling houses & Warehouse sold to the Corporation of Liverpool & plan'd on assignments 28th Oct. 1775

[Copied from an unsigned tracing in "Plans of the "Liverpool Pot Works" at the Liverpool Museum by Myles Dixon 27th Nov: 1908

Scale 20 feet · 1 inch]

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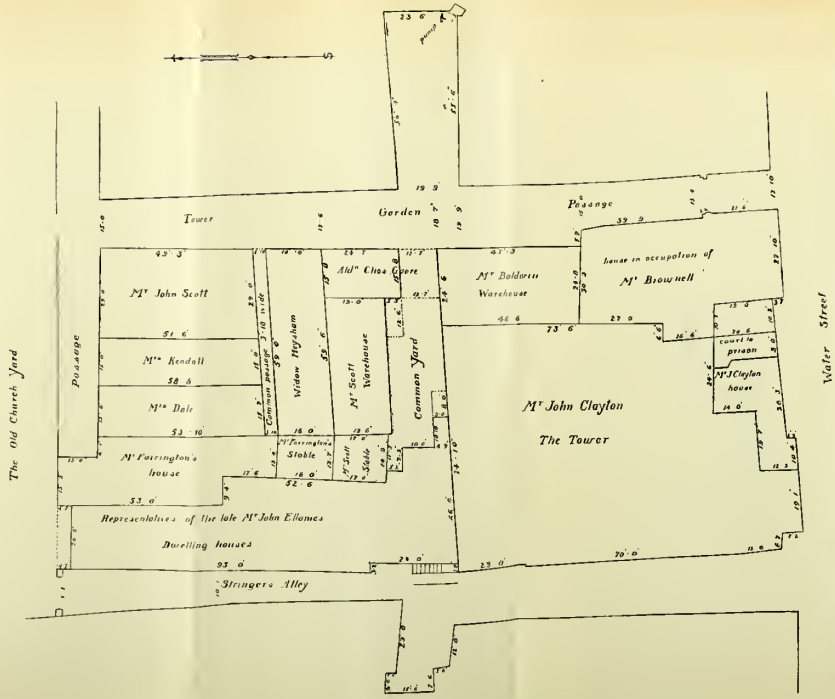

R. Stewart-Brown's "The Town of Liverpool"

HB The Tower, Mr Baldwins Warehouse & Mr John Clayton's house & the prison court are sold to the Corporation of Liverpool and plan'd on their assignment 28th Oct 1775 and house in occupation of Mr Brownell is sold to the Corporation and plan'd on assignment of the same time

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[Copied from an unsigned tracing in "Plans of the Liverpool Pot Works" at the Liverpool Museum by Myles Dixon 22nd Nov 1908
Scale 20 feet · 1 inch]

Plan of the Tower or Prison [and] several houses at the bottom of Water Street, and fronting Tower Garden and the Old Church Yard. Plan'd for sale September 1774 by order of Mr. John Brownell." The tracing is not signed, but it is practically certain that the plan was made by Charles Eyes.

The plan speaks for itself, and the various parts of the site referred to in this paper can easily be identified upon it. The property, it will be observed, is bisected by a line from east to west, and it was the southern portion which was sold to the Corporation in 1775, and still is their property. The northern portion remained in the hands of the Clayton family for some years, and its history is dealt with later on in this paper. The site of the Tower itself is clearly defined, and it is evident that the dwelling-house described as "Mr. J. Clayton's house," fronting Water Street, was an addition, built into the recesses formed by the southern outline of the Tower itself. Doubtless Baldwin's warehouse and Brownell's house on the east were also additions of a recent date compared with the Tower. The plan clearly shows the position of the archway some little way up Tower Garden, and the recess at the south-west of the Tower (where about this date a tiny house was fitted in and tenanted up to the last by a spectacle-maker), and also the position of the well and pump.

During the Seven Years' War with France, from 1756 onwards, large numbers of French prisoners, captured by the Liverpool privateers, were brought into the town. Many of them were imprisoned in the Tower, part of which was rented by the Admiralty, who, it is recorded, fitted it up "in a very commodious manner, there being a handsome kitchin, with furnaces for cooking, and good lodging rooms both below and above stairs." Their Lordships even went so far as to order a hammock and bedding for

each prisoner, the hope being expressed that these luxuries might lead the foe to treat the English prisoners with less inhumanity. The celebrated surgeon, Henry Parke, as a young man, attended the prisoners in the Tower, and there gained much of the experience which led to his subsequent eminence in his profession. Many attempts at escape were made, with varying success; some of the escaped prisoners being unable to make themselves understood, or to get food, returned of their own accord, or were recaptured in a state of starvation. The advent in the neighbourhood of the famous Captain Thurot, in 1760, caused a great scare, and on the very day he was killed in action off the Isle of Man, the French prisoners confined in the Tower were hastily marched off to Chester Castle, though later they were brought back.

Many details with reference to the prisoners will be found scattered here and there in local histories, and I do not pretend to have made any serious attempt to deal with this aspect of the history of the Tower.

A romantic story is told of one Felix Durand, a French prisoner in the Tower about this period. Like many of the prisoners, he worked in gaol at a trade for a local tradesman, whose daughter, in spite of the severity with which such conduct was being punished by the authorities, assisted him and some of his friends to escape. He wandered about Lancashire for some time pretending to be deaf and dumb, and earning a bare living by his trade. Overhearing one day a lady speaking in French, he could not contain himself, and poured out his sorrows in his native tongue, as he thought, to a sympathetic ear. This led to his arrest and return to the Tower, but the romance ends in true fashion by his marriage, after the war, to the daughter of his Liverpool employer.[1]

[1] *Vide* Gomer Williams' *Liverpool Privateers*. A story, by Agnes and Egerton Castle, based on this appeared in one of the Christmas numbers (1908) of the illustrated weekly papers.

In 1775 the Tower was the scene of a serious riot, caused by the imprisonment of several sailors, the ringleaders in a strike for higher wages. The town was full of enraged mariners, some thousands of whom, armed with handspikes and clubs, attacked and broke into the Tower and rescued their comrades. The rioting continued for some days, and was only subdued by calling out the soldiers.

Various plans for a new gaol were considered at times, including in 1777 those of "the New Gaol in London called Newgate as lately rebuilt," but it was not until 1783 that any serious steps seem to have been taken. The Grand Jury at the Borough Quarter-Sessions then made a representation that the present gaol in the Tower was totally insufficient, and that there was reason to dread the most alarming consequences from the present confined condition. A committee was formed to deal with the matter, and eventually it was decided to erect a new gaol on a site in Great Howard Street.[1] Before it was completed, part of the new building was rented in 1793 by the Government as a depôt for French prisoners of war, the town's offenders being still confined in the old Tower. In 1799 it was suggested to the Council that they would be fully justified in raising the rent, not only on account of the damage to the building done by some thousands of prisoners, but also on account of the great loss and inconvenience to the Corporation by reason of their own and Crown prisoners having to be confined in the Tower, "a very close and improper building, which nevertheless, on account of its advantageous situation for warehouses close to George's Dock, must be very

[1] The work of John Howard in connection with the Borough Gaol is well known. The following references to his *State of the Prisons in England and Wales*, 4th edition, 1792, may be useful: Vol. i. p. 436, Liverpool Borough Gaol, 1779, 1782, and 1784; vol. ii. p. 206, 1787; vol. i. p. 189, Prisoners of War, 1779.

valuable." Whether the rent was raised is not clear, but the new gaol was not completed for several years, and the Tower was still kept in use. By 1806 the Tower as a prison was in so decayed and ruinous a state as to render it quite unsafe for the custody of prisoners, the numbers of which had increased. Grave irregularities went on, and it was not possible from want of space to separate the different classes of prisoners or sexes.

A daring attempt to escape was made by several prisoners this year. They cut a hole in the floor of a house in the Tower precincts, but the sentries seem to have heard the noise, soldiers were summoned, and after several rounds of blank cartridges had been used, ball cartridges became necessary before order was restored. Some of the prisoners seem to have succeeded in getting out, as Edward Frodsham, Serjeant-at-Mace and Keeper of the Gaol, had himself to pay £46 odd, the debts due from some of the escaped debtors, and also the £10, 10s. reward offered for the apprehension of others. The Mayor and Aldermen gravely went to view the places through which the prisoners escaped, and as in their view the prisoners had got out owing to the insufficiency of the gaol and not through any carelessness or inattention of the gaoler, he was reimbursed the money he had paid. The keepers of the gaol were naturally of some local importance. A few years before this a keeper, by name Lyons, and his wife died, it is said of gaol fever. Their funeral cortège, consisting of two hearses abreast, with pairs of carriages following, also abreast, was attended at St. Peter's Church by thousands of persons.

Apparently nothing was done to remedy matters, as next year (1807) Frodsham reported seventeen debtors had got out through the roof, and he was threatened with claims amounting to £234. Another

inquiry into the conduct of the gaoler and condition of the gaol was ordered, and it is to be hoped Frodsham was again indemnified. The Borough Magistrates seemed to have decided to send their prisoners to the County House of Correction, but their right to do so was disputed by the County Magistrates.

The new building in Great Howard Street was completed about 1810, in which year prisoners were still confined in the Tower. By July 1811, however, the old prison, part of which had been occupied by the Pilots' Committee, was free of prisoners, and the following year the Corporation received an application from the Commanding Officer of the District to rent the Tower for six months or so for temporary barracks. The Council agreed to this, the rent to be after the rate of £200 a year, with three months' notice. As it was not thought desirable that the entrance in Water Street should be used by the troops, arrangements were made for entrances on the east and west sides of the Tower.

The little shop and house under the south-west tower was still tenanted by a spectacle-maker, James Mann by name, but his shop, an excrescence, and the most recent addition to the Tower, was the first part of the building to be removed, on account of its projection into the street. For some years the Tower remained an unproductive asset of the Corporation, and finally, in October 1819, it was decided to pull down what remained of it to widen Water Street, and to sell the materials by auction. On December 10th the latter was sold for £200. Sir James Picton states they were purchased by a corn miller named Barrow, and used in the erection of mills in Chance Street, called the Castle Mills. A few years afterwards these mills were burnt down. The stones were used for walls in the neighbourhood, and traces of their origin were found in the shape of Lancastrian roses and other devices sculp-

tured on them. Thus passed the last prominent monument of antiquity in the town of Liverpool.

Portions of the original foundation of the Tower were met with in building both Bailey's warehouses and Tower Buildings. During the removal of the old foundations about 1821, a bulbous bottle of olive-coloured glass, dating from the sixteenth century, was found. It bore on the neck a medallion in relief with the badge of the Stanley family, the "Eagle and Child," upon it.

The Gothic archway which stood across Tower Gardens, some 20 feet back from Water Street, was allowed to remain for a short time longer, but this too fell to the claims of commerce. In 1823 the site of the Tower was let for sixty years (increased next year to seventy-five years) to Joseph Bailey of Nant-y-Glo, by whom iron warehouses were erected; and here ends the separate history of the Tower's actual site.

The history of that part of the Tower Gardens (now forming the northern portion of Tower Buildings), which remained in the hands of the Claytons after they had sold the Tower, is as follows :—

In 1781 the Rev. John Clayton sold to John Scott of Liverpool, merchant, various buildings on the north of the Tower, including land on the east of Stringers Alley, which had been leased in 1757 to Pattison Ellames, of Chester, druggist, "whereon formerly stood a malt kiln and mill, but then in a ruinous and deserted condition"; and also a room or vault on the east side of a house formerly in the possession of James Maccullock, and by him used as a cockpit. This is an addition to the cockpits of Liverpool hitherto recorded.

John Scott died in 1791, and left his property to Sir William Hillary, Bart., of Danbury Place, Essex, and others. Sir William was the surviving son of Richard Hillary, tanner, of Liverpool, whose

"new warehouse" in Tower Garden is mentioned in 1757. Richard Hillary, whose wife, Hannah (daughter of Geo. Wynne), died in 1804 (Will proved York), left three children—Richard, the eldest son, of Sewardstone, near Waltham Abbey, Essex, who died in November 1803 at Jamaica, where he was a member of the House of Assembly (Will proved P. C. C.), Mary, and William. The latter, born in 1771, was Equerry to the Duke of Sussex, and raised a regiment of Essex infantry and cavalry in 1803. He was created a Baronet in 1805, and settled in the Isle of Man. He was the founder of the Royal Lifeboat Institution, and the author of various other schemes for the public benefit, and his connection with Liverpool deserves recognition.[1]

The Hillary families possessed other property in Yorkshire, and complicated family deeds were entered into to secure annuities to Jane, widow of John Scott, and for other purposes.

Further sales of property in Tower Gardens were made by the Rev. John Clayton to Margaret, widow of Robert Heysham (died 1748), and to Thomas Staniforth, merchant.

In 1787 the Rev. John Clayton, with Catherine his wife, sold the rest of his Liverpool property to his brother, William Clayton of Wigan, for £600.

Between 1799 and 1807 all the buildings between the Tower and the Churchyard (and also much adjoining property) were acquired by Robert Greenham, corn merchant, with the exception of one portion at the back of the Tower which was not obtained until 1824, when it was leased at a rent of £8 to Greenham's son by Pattison Ellames of Doe Park, Much Woolton, and Allerton Hall, the great-nephew and residuary legatee of Thomas Ellames, deceased, of Liverpool, to whom administration of

[1] See *Dict. of Nat. Biog.* (Supplement ii.) for an account of his life.

Thomas Ellames's will (after it had been proved by Peter Ellames, deceased) was granted in 1824.

Robert Greenham also acquired "the well" off Tower Garden, and covenanted to maintain it and provide a good pump. He also took over the old title-deeds of the Clayton property, including the Ashburnham deed of 1717, but as the conveyance of 1775 to the Corporation, which contained covenants by them to pay the Chantry and burgage rents, could not then (1805) be found, Greenham insisted on being indemnified against them. Luckily, however, a search among the Corporation deeds in 1909, as already explained, resulted in their turning up again a hundred years or so later.

Amongst other property bought by Greenham was some immediately on the east of the entrance up Tower Gardens, facing Water Street, and now included in the site of Colonial House. (It was across to this property, near the corner of Tower Gardens, that the beautiful Gothic archway, which, as already mentioned, survived until after 1820, extended.) Hereabouts stood the ancient Granary of Birkenhead Abbey, on property once belonging to the Moores of Bankhall. It was known as Jonathan Hunter's house, and stood on the south side of "the King's Warehouse," and the west of "Mrs. Wood's house." The latter belonged to Lord Derby, and was a source of annoyance to Edward Moore.[1] In 1663 Hunter agreed with Edward Moore to build a new house of stone and timber on the site, and in 1668 John Waring got a new lease of this house from Moore. Waring also, in 1677, leased from Lord Derby what was probably Mrs. Wood's house, then occupied by Mrs. Ruth Atherton, the rent being £6 and one good fat hind at Martinmas, with a reservation of trees, timber, or otherwise

[1] See his *Rental*, edited by W. F. Irvine, p. 43.

then standing upon the gardens. The Ashburnham Trustees sold this outright to Waring in 1717, and the latter transferred the property in 1719 to Thomas Baldwin by a deed which mentions "The King's Warehouse," off Water Street. In 1724 the Rev. Thomas Baldwin, Rector of Liverpool, and afterwards Vicar of Leyland, completed the block now forming Colonial House, by acquiring the gardens fronting the Churchyard from Richard Clayton, and in 1779 the whole block was sold by the Rev. Thomas Baldwin, of Chester, the son of the Rector of Liverpool (who had died in 1752), to the predecessors of Robert Greenham.

Greenham died in June 1822, and his will, dated 1813, was proved at Chester on the 24th June 1823 by his son Robert (who died in 1841), and in 1834 by Samuel Staniforth. The son was in partnership with James Molyneux as corn merchants, and when the firm was dissolved, about 1830, on the retirement of Molyneux, his share of the business, amounting to £9500, was secured by a bond and a deposit of the deeds. Chancery actions for the sale of Greenham's property were commenced in 1837, and culminated, in August 1843, in one of the most important sales of property which had ever taken place in Liverpool.

The Greenham estate was offered in three lots :

Lot 1 was the property between the site of the Tower (then occupied by Bailey's iron warehouse) and the Churchyard. This consisted of houses (including Coulter's Hotel at the north-west corner) on 1319 square yards of land, let for nearly £700 a year.

Lot 2 was the property on the east of Tower Garden (now Colonial House), and included Horne's famous Mersey Hotel, the area being 922 square yards, let for about £600 a year.

Lot 3 was the block on the east of the Church-

yard, and fronting to Covent Garden. It covered 869 square yards, and was let for about £840. It included "The Stamp Office," Messrs. Shand's offices, and Mersey Chambers.

The view of the auctioneers (Messrs. Winstanley & Sons) of the property, as expressed in the particulars of sale, are worth preserving :—

> "It is not too much to affirm of these 3 lots that the property is by far the most important for commercial purposes that was ever offered for sale at one time in Liverpool. It consists, with the exception of a few yards at the N.-E. corner, of the *whole* of the street or passage called 'The Old Churchyard' in Liverpool, which, situated almost close to the Exchange, and therefore in the very focus of business, yet combines also the rare recommendations of perfect retirement, seclusion from noise and purity of air (though in the midst of a large town), being open to and commanding a delightful view of the River Mersey and the Cheshire Coast, the whole presenting advantages as the site of counting houses and offices which may be safely pronounced to be unequalled. In the erection of such buildings, it is well known that much capital has been very advantageously employed at Liverpool, and yet the demand for further accommodation is continually increasing, and it is difficult to conceive a more favourable opportunity for investment than the erection of a spacious and handsome range of counting-houses upon this site which would accommodate a very large portion of the business of the Town, while a preference in occupation would always be insured by the advantages of situation before enumerated. Even in their present

comparatively inconvenient form (being for the most part old dwelling-houses altered), the buildings yield a very considerable rental, while the materials would go far to the erection of others of a more substantial character upon the entire site, a considerable portion of which is not at present built upon."

The fate of Lots 2 and 3 do not here concern us. For Lot 1 the sum of £13,050 was bid by Augustus Radcliffe, of Liverpool, merchant, for himself and his partner Joseph Bailey, M.P., of Glanusk Park; and the firm of Bailey Bros., iron merchants, thus became possessed of the whole block, the southern portion of which they already leased from the Corporation of Liverpool, as previously related.

The value of the united site for offices speedily caused the removal of the iron warehouses, and about the year 1846 the old residences fronting the Churchyard were pulled down. Their general appearance is well shown in a very scarce lithograph done just before they were pulled down.[1] Among the last residents was Mr. James Bunnell, a well-known Liverpool merchant and accountant,[2] who had been secretary to the Commissioners appointed by the Bank of England to administer the loan made after the financial crisis of 1825. A new lease of the southern portion was obtained in 1855 from the Corporation by Sir Joseph Bailey (who had been created a Baronet in 1852), under which some 12 feet

[1] The only copy I have seen is in the possession of the Mersey Docks and Harbour Board, and was exhibited (No. 348) in the Liverpool Historical Exhibition of 1907.

[2] Picton's *Memorials*, ii. 63, and Ellison's *Gleanings and Reminiscences*. A stone bust of him was placed on Tower Buildings over the site of his house, and was removed in 1907 (with the unidentified busts of many other local celebrities), when the new Tower Buildings were erected. It is now in the possession of Mr. James Birkett, jun.

were given for the widening of Water Street, and the offices known as Tower Buildings were erected and opened in 1857.

In course of time this building again became obsolete, and in 1907 it was pulled down to make room for a huge pile of offices, designed by Mr. W. Aubrey Thomas, and recently opened under the old name of Tower Buildings. The building line in Water Street was again set back, and the passage on the West, then called Prison Weint,[1] was thrown into the street, the iron railings which ran alongside it to the Churchyard being taken away and the levels altered.

The Latin inscription put up in the old building by the architect, Sir James Picton (the text of which will be found in his *Memorials of Liverpool*) has been replaced in the wall of the lobby of the main west entrance, together with a plate commemorating the rebuilding in 1908.

Over the entrance in Water Street are carved in stone the arms of Bailey, as follows :—[arg.] between 2 bars, 3 annulets in fesse [gules], between as many martlets [of the last].

Sir Joseph Russell Bailey, second Baronet, was created a Peer in 1899 by the title of Baron Glanusk, and his son succeeded him in 1906. In 1902 the trustees of the Glanusk estates—Messrs. John Franklen Bailey,[2] Henry Le Blanc Lightfoot, and Richard Digby—obtained a new lease of the

[1] With this disappeared the last but one of the "weints" of Liverpool. Sir. J. Picton states his belief that the use of the term is peculiar, in England, to Lancashire. However this may be, long before the name of "Prison Weint" was given to this passage, the term was common in Liverpool. Eighteen "wyents" are given on Perry's map of 1769, viz. Agnew's, Bachelor's, Bakehouse, Barton's, Custom-House, Darwen's, Doran's, Endel's, Fewler's, Glasshouse, Holden's, Ogden's, Poplar, Silkhouse, Stephen's, Steer's, Sugarhouse, and Trafford's. A few of these survive, but the "weint" has been replaced by "lane" or "alley," except in the case of Trafford's Weint, stlil existing, though not, I believe, in its original place.

[2] Not "Sir" John, as stated by Mr. Peet in his book, p. 55.

southern portion of the site from the Corporation of Liverpool.

My thanks are due to Lord Glanusk for permission to inspect the older deeds in his possession, and to Mr. Coles, his agent, and Mr. W. Aubrey Thomas, for giving me facilities for so doing.

APPENDIX

Letters Patent by Henry IV. granting to Sir John Stanley, Kt., Steward of the Household, leave to embattle and crenellate his house at Liverpool, Jan. 15, 1405/6. (*Patent Roll*, 7 Henry IV. 2 m. 14.)

Pro Johanne de Stanley cĥri.

Rex omnibus ad quos presentes littere peruenerint Salutem. Sciatis quod de gratia nostra speciali concessimus et licenciam dedimus pro nobis et heredibus nostris quantum in nobis est dilecto et fideli militi nostro Johanni de Stanley seneschallo hospicii nostri quod ipse quandam domum quam ipse in villa de Lyuerpole in comitatu Lancastrie de novo construxit de petra et calce batellare et kernellare et eam sic batellatam et kernellatam tenere possit sibi et heredibus suis imperpetuum absque impeticione seu perturbacione nostri vel heredum nostrorum aut officiariorum seu ministrorum nostrorum quorumcumque. In cuius etc. T. R. apud Westmonasterium quintodecimo die Januarii. [15 Jan., 1405/6] Per breve de priuato Sigillo.

MISS FARREN (AFTERWARDS COUNTESS OF DERBY)

From an engraving in stipple by F. Bartolozzi, after Lawrence

ELIZABETH FARREN, COUNTESS OF DERBY

By R. J. Broadbent

Read 18th March 1909

IN the eighteenth century there resided in Liverpool an opulent brewer named Wright. He was blessed with several children, all of whom were educated in a manner befitting his station. One of his daughters was born about 1732, and she was christened Margaret. In the full bloom of maiden beauty her charms and accomplishments were so highly prized that she became a reigning toast among the *bon vivants* of her native town.

Although Mr. Wright's business was a lucrative one, it proved inadequate to meet the expenses of his prodigal hospitality. Consequently he was overtaken by ruin before he could make provision for those near and dear to him. His handsome and accomplished daughter, Margaret, became the portionless wife of George Farren, who practised as a surgeon and apothecary in Cork. Farren, according to the *Memoirs* of Charles Lee Lewes, was the son of a Dublin wine merchant, and was intended for his father's business. The Farrens were of good stock, and their lineage can be clearly traced back in Ireland to the end of the seventeenth century. There were branches of the family in both Dublin and Cork. It is probable that George Farren came of the Dublin stock, although he may have been apprenticed to a relation in Cork. The

fact that his sister, Elizabeth, lived all her life in Dublin, where she died in 1808, seems to be proof that he came of that branch of the family. In 1736 Thomas Farren became Lord Mayor of Cork, and at a time when the Corporation was very exclusive. He was a merchant of some prominence, and a quay in Cork was named after him.[1] The Farrens of Cork were always cultured patrons of the drama.

It was to Cork that George Farren took his bride to reside, but a worse fate awaited her there than that which had first destroyed her prospects in life. Her husband she soon found would not forego his friends or his bottle, and his amiable wife saw herself again encompassed with ruin.

Meanwhile three daughters had been born to them, and they were christened Elizabeth ("Betsy"), Catherine ("Kitty"), and Margaret ("Peggy"). There was, however, such marked dissimilarity between them in person, manners, and temper that persons had difficulty in believing they were the children of the same parents. Elizabeth, who was born on July 6, 1762, inherited her mother's good looks, and a most docile disposition even as a child. As she grew up her natural ease and elegance of manner caused many persons to predict with confidence that "she was born to be a lady." Catherine had no particular pretensions to beauty, and was less polished in her manners. She died at Manchester on Friday, January 10, 1777, of consumption. Margaret, the youngest, also had no claims to admiration, either as regarded her person or temper, save that she was occasionally witty, but too often the shafts of her wit were barbed with malignity. In 1787 she married Thomas Knight, the celebrated comedian, who, in 1803, became one of the lessees of the Theatre Royal, Liverpool.

[1] The name has since been changed to Pope's Quay, but a street still exists called after the Farren family.

After the breaking up of his establishment at Cork George Farren sought a living by commencing as an actor. Lee Lewes gives one the impression that he made his *début* in Dublin, but not meeting with the encouragement that he expected, he decided to leave Ierne's metropolis and try his fortune in England.

On his arrival in Liverpool he applied to William Gibson, the manager of the local Drury Lane Theatre, for an engagement at a very small salary, but his modest request did not meet with the expected success. "Our company, friend," said Gibson, who had been brought up as a Quaker, "being formed and full ere we left London, cannot possibly admit of any addition. Thou hast told me, friend, that thou hast never tried thy talents on the stage, and it is an unalterable maxim with me to reject all superfluities of any kind. I will not entertain more cats than will kill mice; and therefore, as by thy own confession thou art not practiced in the business of an actor, the most prudent course for thee would be to push thyself into some other way of life, which may support thee better. Whatever thy vain hope may flatter thee with, expect not to keep up long the flashy appearance thou now dost make, shouldst thou engage with any travelling company of comedians. But lest, peradventure, thou shouldst lack wherewithal to answer for a bed and a supper, I make thee a present of this half-crown; thou dost look most pitifully lank, young man, but this may, if properly used by thee, prevent thy growing thinner for a short space of time." "The exordium to this puritanical speech," writes Lee Lewes, who tells the story, "made poor Farren look blank; he thought proper, however, being in want of half-a-crown, to pocket the affront—and making his best bow to his monitor, he went back to his lodging."

Afterwards Farren became associated with various itinerant companies, ekeing out an existence as best he could. He died about 1770, and his widow was left with three young daughters wholly unprovided for.

Prior to returning with her fatherless children to her native country, Mrs. Farren made her appearance in minor characters, first at the theatre in Cork, and afterwards on the Dublin stage. Shortly afterwards her daughter, Elizabeth, made one of her earliest appearances in public, when she gave a "Lecture upon Hearts," but, whether as a member of some itinerant company of players, or in what place, it is difficult to determine. At that time her age could not have exceeded eleven years. The enterprise was doubtless suggested by George Alexander Stevens' popular lecture upon heads.

In the latter part of 1773 Mrs. Farren and her children obtained an engagement with the eccentric James Augustus Whiteley, of Chester, who was appearing with his company at the theatre rented by him in Marsden Street, Manchester.

According to an anonymous and scarce pamphlet, entitled *Biographical Gleanings of the Countess of Derby, formerly Miss Farren*, published in the early part of the nineteenth century, "it seems certain that Mrs. Farren lodged in Bootle Street, in Yates Street (now Peter Street), and in Jackson's Row; all of them in the neighbourhood of Deansgate, near the common *rendezvous* of conveyances to and from Liverpool by land and water. Those localities were the abode of persons in rather humble circumstances, and therefore more suitable to the depressed fortunes of this respectable woman and her family. It was the good fortune of Mrs. Farren and her progeny, in that hour of adversity, to fall as lodgers into the hands of a humane couple, Mr. and Mrs. Stanfield, who resided, as I am told, in the house

next door to the 'Green Man' in Jackson's Row. . . . I have been assured that Mrs. Farren and her children took shelter in the kitchen of that dwelling; and further were they so distressed that they would have been exposed to intolerable privations but for the generous sympathy of the Stanfields." Mr. and Mrs. Stanfield were players, and the parents of Clarkson Stanfield, the celebrated scene painter. "Miss Farren," continues the writer, "nobly returned their hospitality when the Stanfields became reduced, and the fortunes of the Farrens had attained to the ascending scale."

The following letter, addressed to Mrs. Farren, is said to have emanated from Whiteley soon after her arrival in Manchester:—

"MADAM,—I have duly considered the subject of our late conversation, and do not think there is the least chance of your deriving any permanent benefit from theatrical pursuits. Inclination does not confer talent: for the sake of yourself and children I strenuously advise you to turn your attention to some other less dangerous and precarious line of life. I say less dangerous as applies to your daughters. I have passed a long career upon the stage, and where I have seen one person prosperous and happy, ten have failed, and many, particularly females, have been morally cast away. If I had been bred as a shoemaker or tailor, and had followed those humble callings with the same diligence that I have endeavoured to get forward as an actor, I should, in all probability, be now independent. Look round you in this busy town, and you will see hundreds of persons who were destitute as it were but yesterday, and are now in the high road to wealth. Fix on some safe and certain occupation. Even a laundress, with tolerable plenty of work, is preferable to treading the

stage as a *make-weight*. Do not feel offended at this bluntness. Nature has not endowed *you* with the qualities that are requisite to ensure success: as to Betsy, although she seems to possess every natural requisite, she is yet too young, and were she my daughter, I would sooner rear her up to go to service in a respectable family! Inclosed is a trifle of which I entreat the acceptance. When the wheel of fortune takes a more favourable turn you may return it. I would not advise you to leave Manchester. It is a busy, thriving town; let me hear your determination: and if you feel inclined to make any attempt in the way of trade, I will, with the utmost readiness, aid your views as far as my means permit. Meantime, with the utmost sincerity, I remain your friend, W."

The author of the pamphlet, from which the foregoing letter is copied, is partly inclined to doubt its having been written by Whiteley, probably on account of its delicacy of tone and refinement. Be this as it may, it was penned by some one who had the interests of the family at heart. The pamphlet contains another letter, written by a lady friend of Mrs. Farren, in which she uses all the eloquence at her command in order to sever the connection of the Farren family with the stage. In it she says—

"I am very sorry I could not speak to Kitty. I fear you will think I am too much like the rest of the world, a mere summer friend. If so, you do me great injustice, for I love and respect you quite as well as when you were my equal as to circumstances. My husband possesses all the essentials of a good and upright man: we have, as you know, a numerous young family, and I am sure nothing would grieve you so much as to become the source of domestic uneasiness. To him

I owe respect and obedience, and, owing to your connection with the theatre, which he terms 'Satan's Tabernacle,' he has interdicted our intercourse. He is, as you know, a rigid Calvinist, and, of all people, hates players the most. To these circumstances, my dear Mrs. F——, and not to diminished esteem, I implore you to attribute my not seeing Kitty last night. He is just gone on horseback to Stockport, and I embrace the opportunity of communicating this painful, yet, I also believe, not unexpected intelligence. I have explained how I am circumstanced as to the disposal of my private allowance. I am required to enter every little disbursement of alms, and where he disapproves, I dare not let the objectionable name appear any more. Our household accounts are balanced every week, and not a pint of milk or a bunch of greens enters our kitchen but what is entered also in our household journal. I state these particulars to account for the paucity of my aid to you, my beloved school-fellow—when your wants are so pressing. It cuts my heart when I sit down to a plenteous table, and see my children all round me, well fed, and well clothed, to think of you and yours. I asked him for a guinea this morning to give to you. He said he should *offend the Almighty by so doing!* I shed tears, but they had no other effect than to excite reproof. I have, however, sent you a new Queen Anne's guinea—a present from your dear father and . . . (illegible, probably mother), who were my sponsors. Take it, use it therefore as your own! I intended it for you, and should have sent you two, if I had obtained the one I asked. When I reflect on the trivial amount of the help I can command, I blush to send it. I *wish* I might be able to persuade you to abandon altogether your dramatical projects. Your daughters are, I know, educated too well for

common servitude; but from what I hear and *have seen* of the misery to which players, both male and female, are so frequently exposed, I would prefer a decent and humane master and mistress for a daughter of mine, than allow her to become an actress. If you were to act thus I should be permitted to assist you, and to an extent to be useful. Your daughters can each of them use their needles well, and are qualified to instruct others in everything that respectable tradesmen's daughters usually learn. What should you think of opening a school in Manchester? You know too well my husband is not the *only* person who entertains a strong aversion to the society of players. . . . Even Mr. Younger, who seems to have almost every one's good word, has but a very limited number of real *friends*. And as to Mr. Whiteley, you cannot be ignorant of the persecutions to which he has been, and is subjected, and to the schisms which prevail even in his own company."

The sincerity of the writer of the letter to befriend her old friend and her children is feelingly portrayed in the following passage:—

"I am thus earnest with you, because I love you. I fear you are depending on a frail support. I cannot doubt but Mr. R—— would let me take Kitty if you were to give up the theatre altogether. It would be to me a source of the greatest felicity to be able to prove by my care of that child how dear you are to me. I should always have her at my side, and would treat her as if she were my own daughter. To find a situation for Betsy equally eligible might not be quite so easy; but you might keep her at home; and if I might advise, I would place her as an apprentice to a mantua maker or milliner. She is a sweet girl, and has an address so genteel, and a manner so engaging, that she could scarcely fail of doing well in either of those businesses."

The writer concludes :—

"I entreat you, my dear Mrs. Farren, to take this letter in good part, and when you have read it, fling it in the fire, for I would not willingly these sentiments should meet any eyes but your own. No, not even your daughters, for nothing less than the strong affection I bear you could have induced me to write thus freely of my husband. If you adopt my advice!—you will remain in Manchester, but free from all theatrical connections, and I will do my very utmost to assist in your establishments. If you pursue your favourite speculation, you shall have my ardent prayer for your welfare; and never shall you want such help as my very circumscribed means may allow me to afford. Once more—God bless you all, and believe me ever affectionately yours, J. R.

"*P.S.*—I have sent a bundle herewith of which I entreat your acceptance."

Despite the entreaties of her friend, Mrs. Farren still pursued her favourite avocation; but the ardent prayers of "J. R." were more than answered in the brilliant career of the "sweet girl Betsy."

Already gifted, it is said, with a pleasing soprano voice, Elizabeth Farren seems to have been the leading singing lady of Whiteley's company. Her earliest performances at the Marsden Street house were confined to singing between the acts and taking part in the masquerades. On April 8, 1774, the performances were announced "for the benefit of the Widow Howard, Mrs. Farren, and her three children." *The Merchant of Venice* was performed; Whiteley played Shylock, Kitty Farren appeared as Nerissa; Betsy Farren sang a new song, accompanied on the guitar by Mr. Claggot, and afterwards spoke a favourite epilogue, written by Samuel

Foote, while *Sweet Willy, O*, was sung by Peggy Farren. The performances concluded with "a poetic address of thanks to the ladies and gentlemen of Manchester, written by a gentleman of the town for the occasion, spoken by Miss Betsy Farren."

After the termination of his season in Manchester Whiteley dispensed with the services of the Farrens; but he recommended Kitty Farren to Joseph Younger, one of the lessees of the Theatre Royal, Liverpool, who engaged the whole family. In 1774 Betsy Farren appeared at the Royal as Rosetta in *Love in a Village*, "but such was the poverty of her wardrobe," says a writer in *Walker's Hibernian Magazine* for July 1794, "that the ladies of the company, it is remembered, were obliged to subscribe each a proportion of apparel before she could be properly equipped, so much may great merit and superior talents be depressed by poverty. She next performed Lady Townly, and pleased Mr. Younger so well that he procured credit with his tradesmen for what cloaths any of the family stood in need of."

It must, however, have occasioned Mrs. Farren a bitter pang to have appeared as an inferior actress, in indigent circumstances, in her native town, where her youth had been passed in very different circumstances. The occurrence was doubtless one of the most humiliating of her many severe trials. Fortunately she possessed an even temperament, and the gentleness and urbanity of her manners formed a notable contrast to the people amongst whom she was compelled to reside; for at that time a great degree of rudeness and ferocity of manners prevailed amongst the Liverpool populace.

After performing at the Theatre Royal, Liverpool, some three seasons, gaining experience and

MISS FARREN · IN THE CHARACTER OF "HERMIONE"

From a mezzotint by E. Fisher, after Zoffany, 1781, size 24 × 16 inches. Reproduced by kind permission of Messrs. Maggs Brothers, Book and Print Sellers, 109 Strand, London, W.C.

winning approbation for her performances, especially for her Lady Townly, Elizabeth Farren was introduced by Mr. Younger to George Colman, and made her *début* in London at the Haymarket, on June 9, 1777, in the part of Miss Hardcastle. After her first appearance in London she was engaged for Covent Garden, which theatre, in a little while, she left to become a member of Old Drury, where she performed a considerable time as first tragic actress, and became successor to Mrs. Abington in comedy.

In Horace Walpole's opinion Miss Farren was the most perfect actress he had ever seen. Boaden speaks of her "sparkling captivities," Hazlitt of her "fine-lady airs and graces," and Adolphus praises "the irresistible graces of her address and manner, the polished beauties of her action and gait, and all the indescribable little charms which give fascination to the woman of birth and fashion."

Charles James Fox was attached to her; but long before she withdrew from the stage it was said of her that when "*one* certain event should happen, a Countess's coronet would fall on her brow." This contingency was the death of the Countess of Derby. It was through an introduction of the Duchess of Leinster, who knew the Farren family in Ireland, that Betsy Farren first became acquainted with Edward, the twelfth Earl of Derby, who was himself a clever amateur actor. A platonic affection between the two soon ripened into something more lasting. The writer of *The Testimony of Truth to Exalted Merit; or, a Biographical Sketch of the Rt. Hon. the Countess of Derby*, tells us that "the affection of Lord Derby for Miss Farren was that of a mind strongly imbued with a sense of honour, and deeply sensible of the virtues of its object. The assiduity of his lordship was flattering, and the circumstances in

which he stood with relation to his Countess were such as by no means to render any such attachment indecorous." He usually escorted Miss Farren to and from Old Drury to her home in Green Street, Grosvenor Square, and is said to have frequently been seen following, rather than walking with her, "puffing from want of breath and sighing his soft tale, while she, from mere wantonness, kept him on the jog-trot, and hardly deigned to give him a smile." Lord Derby, according to Mrs. Cornwell Baron-Wilson, was a singular-looking little man for a lover. She says "he had an excessively large head surmounting his small, spare figure, and wore his hair tied in a long, thin pig-tail. This, with his attachment to short nankeen gaiters, made him an easily recognised subject in the numerous caricatures of the day."

The long-tarrying Countess of Derby died on March 14, 1797, and on the 8th of April following Miss Farren took her farewell leave of the stage in the character of Lady Teazle. It was remarked that she had never performed with greater animation and better spirits than on this occasion until the play drew near to the close, when she was unable to conceal how deeply she was affected. In faltering tones she delivered Lady Teazle's valedictory address to Lady Sneerwell: "Let me also request, Lady Sneerwell, that you will make my respects to the scandalous college of which you are a member, and inform them that Lady Teazle, licentiate, begs leave to return the diploma they granted her, *as she leaves off practice and kills characters no longer*." A passionate burst of tears here revealed how deeply moved she was by the appropriate sentence. The sympathetic audience cheered again and again, and no more of *The School for Scandal* was listened to that night.

On the 1st of May following Miss Farren was

married by special licence to the Earl of Derby at his residence in Grosvenor Square, the officiating minister being the Rev. John Hornby, Rector of Winwick. A son and two daughters were born of this union, but only one survived, Mary, born in 1801, who, in 1821, married the Earl of Wilton.

On June 5, 1803, the Countess of Derby suffered a great loss in the death of her dearly beloved mother at their residence in Grosvenor Square. In obscurity and in affluence her amiable mother was her "guide, philosopher, and friend." In the humblest lodging to which the wandering life of strolling players ever consigned them, and in those splendid *salons* where homage was paid to her genius and beauty by the noblest in the land, the influence of the mother was still the same. "They appeared to study each other's happiness so perfectly," mentions the writer of *Biographical Gleanings*, "and with such ease and unrestrained action, as convinced every unprejudiced visitor or beholder, that the most unlimited friendship prevailed between them, and that their sole contest was which should render the other happiest." Mrs. Farren, who was seventy-one years of age when she died, was interred at St. George's Church, Hanover Square.

The Countess of Derby died at Knowsley, and was buried in the family vault in Ormskirk Parish Church. After her decease there was erected on the south wall of the nave in Huyton Parish Church, subsequently removed to the chancel, where it is now, a brass with the following inscription :—

"Near the place where she loved to worship, and where her voice was so often lifted up in prayer and praise, this tribute of grateful affection is dedicated to the virtuous memory of Elizabeth Farren, Countess of Derby, wife of Edward, twelfth Earl of Derby.

"From her earliest years, and through every change of her most eventful life, she made Religion Her companion and guide, while the native graces of mind and manners made her seem born

for that station to which she was subsequently raised. Beneficent without ostentation, she was zealous in every good work. She visited the fatherless and the widows in their affliction. She kept herself unspotted from the world, and she died as she had lived, in the fear of and love of GOD, and in humble hope of His redeeming mercy.

"She was born on July 6, 1762, and died April 23, 1829.

"'Thou hast a few names even in Sardis, which have not defiled their garments; and they shall walk with me in white: for they are worthy.'—Rev. iii. 4."

THE POOR LAW IN LIVERPOOL

1681–1834

By W. Lyon Blease, LL.M.

Read 5th March 1908

THE Minutes of the Liverpool Vestry are contained in a number of folios, which are preserved in the parish offices on Brownlow Hill. These volumes are the principal source from which the history of the Poor Law in Liverpool is to be derived. Other information can be obtained from the records of various public bodies, chiefly those of the Liverpool Corporation, from contemporary pamphlets, and from the local newspapers. A few details can be found in the numerous local histories. But the minutes themselves provide practically all the material for the period lying between 1681 and the beginning of the nineteenth century. For a great part of that time even the official records contain very few entries of importance, and it is not until about 1740 that they furnish the student with any full information of the working of the parochial system. There are no entries earlier than 1682. It is certain that earlier records once existed, but they have been either lost or destroyed, and the first official entry is the account of Richard Diggles, Chapelwarden, and John Lamond, Sidesman, showing their receipts and expenditure on account of the parochial chapel from April 1681 to April 1682. From the form of the first few entries it is clear that they were made in accordance with a regular practice, and there can be little doubt that Minutes were kept

from the day when the relief of their own poor was first entrusted to the inhabitants of Liverpool. The town was not made a separate parish until 1699, when it was severed from the parish of Walton. But the Poor Law unit was no doubt created by the Statute 13 & 14 Charles II., c. 13, which provided[1] that in certain counties in the North of England, including Lancashire, the townships and villages should have overseers of their own, distinct from those of the large and sparsely populated parishes in which they were situated. It has been suggested that the churchwarden and sidesman of the chapel of St. Nicholas were originally appointed by the freemen of the borough, to whom the chapel belonged. But at some date before 1681 the choice of these offices must have been vested in the inhabitants in vestry assembled, and the Minutes record in unbroken succession the names of the churchwardens and sidesmen throughout the period with which this paper is concerned.

The history of the Poor Law organisation is divided naturally into four periods. The first is the period of universal outdoor relief, and ends with the construction of the first workhouse in 1733. The second is the period during which the complex system of government by a salaried staff under the superintendence of a standing committee attained its full development. This period ended, roughly speaking, with the building of the second workhouse in 1769. The third period is that in which the parish secured full control over such public business, other than poor relief, as was neglected by the corporation. This ends with the inglorious career of John Dennison and the consequent collapse of the whole parochial system in 1820. The last period is the period of government by Select Vestry.

[1] By sections 21 and 22.

The First Period

The information which we possess of the working of the system at the end of the seventeenth century is extremely scanty. From 1681 to 1707 the Minutes contain nothing but statements of the amounts of the various levys, or rates, the names of officers, and copies of the annual accounts. There are a few indentures of apprenticeship, and one or two curious references to collections for the relief of prisoners of war. After 1707 there are occasional orders on matters connected with the church. But it is not until 1729 that any entry is to be found which concerns the general affairs of the parish. The Vestry met in the chapel of Our Lady and St. Nicholas on Easter Tuesday in each year. There is nothing to show whether these early meetings were attended by a large number of inhabitants or not. The Minutes of a Special Vestry of the 4th June 1700 are signed by the Mayor and fourteen others. Another Special Vestry of the 13th February 1716 was attended by "Mr. Richmond, Rector of this parish, the Churchwardens, the Worshipful Mr. Mayor, Mr. Squire, and several of the Aldermen, with a great number of Parishioners." There are no signs of any transition stage, and it is most probable that the Vestry was always open to all the ratepayers. The functions at this early date were apparently confined to the allowance of the accounts, the election of the officers, and the determination of the amount of the levy for the year.

There was little need for any more detailed attention to the business of poor relief. The town was small, and one church was sufficient for the spiritual needs of the inhabitants. In such a place the character and condition of the recipients of relief

would be known to many of those present at the Vestry, and it would not be a difficult matter to decide how much money would be required, and upon which of the citizens should be imposed the duty of collecting and expending it. But the town was just entering upon a stage of rapid development, and the simple organisation speedily became more complex. The last forty years of the seventeenth century saw great changes in Liverpool. Trade was being carried on not only with coast towns, the Isle of Man, and Ireland, but also with foreign countries. The merchants and seamen of Liverpool were competing with Hull in the Baltic, and with London and Bristol in the Plantations. The growth of the industries of East Lancashire meant increased business for Liverpool. The tobacco and sugar trades were firmly established in the town, and drew regular supplies from the West Indies. New streets were being built, and the houses spread out over the waste land to the south and east. The population at the end of the century was no more than 5000, but it had doubled since the time of the Civil War. It was in the midst of this increasing population, dependent for its livelihood upon agriculture and the sea, that the churchwardens and overseers had to perform their duties.

The organisation in these early years was very simple. In 1682 the Annual Vestry elected one chapelwarden, one sidesman, and two overseers. There is no mention of any other officers. But the accounts of the overseers sometimes refer to a certain Sergeant Roe, who occasionally paid in small sums on account of men swearing or being drunk, and it is possible that he was the constable of the parish. The Minutes were apparently kept by some attorney, to whom the churchwarden paid the sum of 2s. a year for the work. In the year 1700 a change was made in the number of

the officials. An Act of 1699 made Liverpool a separate parish, and provided for the building of the new church of St. Peter. The Vestry accordingly, in subsequent years, elected two churchwardens and two sidesmen. The number of the overseers was frequently changed, and the parishioners made many experiments in this direction before their constitution was finally settled.

The accounts of the overseers are the only sources of information which we possess of the system of relief in this early period, and the last of these which appears in the Minute Book is dated 1705. The funds at the disposal of the overseers were derived chiefly from the Poor's Levy. This was at first ordered as a fixed sum, and it was apparently left to the discretion of the overseers to settle the amount which each owner of land or houses was to pay. After 1724 it was always ordered in the form of a rate. To the produce of this levy were added other sums, which were obtained in a great variety of ways from charitable donations, rents and interest on legacies, and fines levied by the Justices or other officials. There were occasional gifts from charitable persons. £3 were paid by the Corporation every year as interest on a bequest of Mr. Chorley. A small rent was received for two houses in Forrest Street, Chester, which had been devised for the benefit of the Liverpool poor by Mr. Bird. Certain fees were obtained from hawkers. Whether these payments were received directly or indirectly is not clear, but the most natural supposition is that a license was granted by the officers of the Corporation, and the fee, or part of it, was paid by them to the overseers. £2, 10s. was the regular fine for the burial of a corpse in linen. Profane swearing was punished by a penalty varying from 1s. to 5s. These fines could be

imposed by a justice on his own motion, and were paid over by him to the overseers. These entries are not very frequent, and it is not unlikely that the justices of Liverpool, as in other places, sometimes omitted to account for all the sums which they received. Very numerous are the entries of sums paid in respect of "seizures"—"To a seizure of beef," "to bad meat taken from a butcher," "a small firkin of butter seized on by ye Custom House officers." None of these seizures can have been made by the overseers themselves. The solitary case of the firkin of butter was doubtless the result of an attempt to evade some customs regulation. The seizures of bad beef, butter, and sheep were probably made by the officers of the markets, which were the property of the freemen of the borough. There are a few references to seizures of shoes and leather, and the only possible explanation of these is that the articles were offered for sale by persons who were not freemen, and had in consequence no right to sell in the open market.

The expenses of the overseers present less difficulty. The system of relief in such a place as Liverpool was not very complicated. There was no workhouse, and the relief consequently took the form of the distribution of money. Each Poor Law unit was bound to maintain its own poor, and, in reading the accounts, it is easy to distinguish between the regular payments to residents and the casual gifts to passengers. The great bulk of the regular payments was made to adults, mostly women, who received either 6d. or 1s. a week. Children were sent to board at the houses of women who lived in the town, and the overseers paid fixed sums, generally 12s. or 13s. a quarter, for their diet, and also provided them with clothes and shoes. The extraordinary payments were such as might be expected in a thriving

seaport which traded with all parts of Western Europe, and was situated on the chief highway between England and Ireland. Spaniards, Dutchmen, and Frenchmen obtained relief at various times. There are constant references to Irish passengers, and the great war brought a large number of such entries as "To a soldier's child," "To carriage to ye Burial of some dead, and to ye Hospital some sick Soldiers," or "To Soldiers' Wives." These casual donations naturally varied from year to year. The regular paupers seem to have been very few. £40 sufficed for all the needs of the town in 1681, and the accounts contain the names of about twenty adults in receipt of weekly doles—not a very large proportion of a population of more than 3000. There are no signs of that indiscriminate distribution of money which drove Parliament in 1691 to enact that registers should be kept showing the names of the paupers and the amount of the relief. The only effect of this Act which can be traced in the accounts is that the names no longer appear in the accounts themselves, and a lump sum is entered as paid "per week by payments as appears in ye Rolls." It appears from the accounts of 1701 that these payments were made in the church. Some attempt was made to teach the children, and there are occasional notes of payments for their "schooling." A few indentures of apprenticeship are preserved in the Minute Book, and the accounts show the sums, generally 25s., which were paid to the employers as premiums.

The accounts of the overseers cease abruptly in the year 1705. Those which are preserved show little change in the policy of weekly doles, maintenance of children, gifts to casual applicants, and the expenditure on burials, journeys, and other incidents of relief. There are no entries in the

Minutes themselves which give any indication of the course of development. Until 1712 they refer to nothing more important than gravestones, church clocks, repairs of the bailiffs' seat in the parochial chapel, and other matters connected with one or other of the two churches. The minutes of 1713 contain the first order dealing with poor relief. The system of outdoor relief had produced its natural and inevitable result, an increase of pauperism, and the overseers in many parishes in the country had found the indiscriminate distribution of doles less burdensome than the strict investigation of all the claims that were made upon them. The Act of 1691 had only partially checked this fatal practice, and in 1712 Parliament made a second attempt, and enacted that persons receiving relief should wear badges. The Vestry accordingly ordered that this Act should be observed. All poor persons who received weekly allowances were to wear badges with the letters "L.P." (signifying "Liverpool pauper"), or "not to be relieved." The overseers appear to have disregarded this direction, and in 1718 it was repeated, with the proviso that if they relieved anybody who did not wear the badge the amount was not to be allowed in their accounts.

For the next few years the Minutes are silent, but there is an ominous increase in the Poor's Levy. In 1681 it was £40. Ten years later it had increased to £100, and £35 was borrowed to supplement it. The next year it was £160; by 1719 it had risen to £520, and then it increased by leaps and bounds, until in 1722 it stood at £1000. What was happening during this last period is a matter of conjecture. There are no signs of malversation. The steady growth of population, the consequent difficulty of investigating the claims for relief, and the increasing demands of their own occupations upon the time of the overseers, may account for

some laxity. But the chief cause was also the cause of a similar increase in the Poor Rate in every parish in the country. The Act of 1691, which forbade the relief of persons other than those whose names were entered in the register kept for the purpose, had allowed a dangerous exception to this rule. In cases of sickness the overseers could grant relief on their own initiative, but in no other cases "but by authority under the hand of one justice of peace residing within such parish; or if none be there dwelling, in the parts, near or next adjoining, or by order of the justices in their respective quarter sessions."[1] The result of this provision was fatal to the whole scheme of relief by overseers. The tradesman or farmer, who had some opportunity of investigating the claims, might turn away anybody he pleased. But the disappointed applicant had only to go to a merchant or country gentleman, who knew nothing of his character or circumstances, to get an order for relief, which the overseer was bound to obey. Parliament, in 1722, was driven to pass another Act.[2] The justices were to order relief only when a reasonable cause was proved on oath, and after the overseers had been summoned to show cause why the relief should not be given. Another section lightened the burden which rested upon the shoulders of the overseers. In large parishes it was becoming impossible to examine all those who applied to the overseers or the Vestry, and the Act provided for the erection or hire of houses which were to be offered to the paupers instead of money. The names of all who refused to come into the houses were to be struck out of the register.

The Liverpool Vestry of 1723 ordered that the overseers should pursue the new Act of Parliament,

[1] 3 W. & M., cap. 11, sec. 11.
[2] 9 Geo. I., cap. 7.

and a Special Vestry on the 10th December considered the steps which they had taken. The Act allowed the overseers either to build houses or to hire them from other persons. It is obvious that a small parish, or a parish with little capital at its disposal, would find the second course the easier of the two, and this was adopted by Liverpool. Alderman Bryan Blundell built thirty-six houses on the south side of his Charity School, and the overseers asked the Vestry to approve of their contract for a tenancy. The agreement was confirmed by the ratepayers. It was ordered that 25s. a year should be paid for each house, making £45 a year in all. The overseers were directed to remove all poor persons whose rents they already paid into these houses. The contract to be made with Blundell was to be dated as from the following 25th March, and no rent was to be paid before that day, notwithstanding that some families should be in actual occupation at an earlier date. The overseers had some difficulty in getting the paupers into the houses, and a Special Vestry, held on 26th January 1725, ordered—

> "That the overseers of the poor be supported in the Due Execution of their office, and that such poor persons as refuse to be Removed to the house or houses provided for them by the Overseers be put out of the Book or Books Roll or Register wherein they are entered, and not be entitled to any Rent or Reliefe pursuant to the Act of Parliamt. for that purpose."

It is not clear how much benefit was derived from the substitution of indoor for outdoor relief. Two years after the houses were occupied the form of the order for the Poor's Levy was changed. The levy was no longer ordered as a lump sum, but the

Vestry itself determined the exact rate per pound at which it should be assessed. For many years the rate was differential. Lands, houses, and stock-in-trade were assessed separately. The rate on land was always higher than that on houses and buildings, and this distinction was maintained until 1783. There is nothing to show upon what principle the Vestry proceeded in making the rate in this way, or why they adopted a uniform rate in 1783. There appears to have been some difficulty in levying the rate upon stock-in-trade. The assessment upon such a variable capital value must always have been difficult. It was easy for a fraudulent tradesman to conceal part of his goods, and so lower his assessment. The rate was also open to the objection that it only affected tradesmen, and the shipowners and professional classes profited at their expense. These obstacles have always lain in the way of attempts to assess personal property on its capital value, and there can be little doubt that they were raised by the inhabitants of Liverpool in 1725. But the Vestry, fortified by the opinion of counsel, upheld the demands of their officers, and the rate, though always resented and often evaded, was not finally abandoned until the beginning of the nineteenth century.[1]

By this time the administration of relief was passing beyond the capacity of the unpaid officials. The Minutes show that the Vestry had during the previous twenty years been making various experiments with a view to securing efficiency. The number of the overseers varied between two and four. They were divided into collectors and distributors, and different districts were allotted to different officers. But in 1724 the Vestry adopted

[1] See the Minutes of Annual Vestry, 1724, 1725, 1726, 1739, 1740, 1744, 1745. The rate on stock-in-trade was abolished in 1812. See Minutes of Annual Vestry, 1813, and *post*, p. 146.

another course, and appointed the first salaried official. Mr. Edward Crane, who had been overseer in 1723, was in 1724 allowed £15 "for his trouble in assisting the overseers and paying the roll weekly, which he undertakes to do for the year ensuing, having one of the overseers to go along with him weekly."[1] There is no record of his appointment in the next year, but in 1726 he proposed to undertake the management of the poor for the year ensuing, and stated that a tax of 1s. per pound on houses and 1s. 3d. per pound on lands would be sufficient to defray the expense. It was accordingly ordered "that he be employed therein, and that the Overseers of the Poor be accountable to him, and pay the money as they raise it by the tax into his hands, and that he disburse the same and take care of the Poor, and be accountable to this Vestry for his management therein." Next year he received an "allowance" of £20.[2] This was the only case in which the Vestry adopted the vicious system of "farming" the poor. In many parishes the "farmer" was not even resident in the neighbourhood, and he was frequently a person of small substance, without any proper means of carrying out his contract. The arrangement was always open to abuse, and there were abundant opportunities for fraud and jobbery. It does not appear that there was any misconduct on the part of Crane, but this appointment was not continued. After two years the Vestry again tried the experiment of increasing the number of their unpaid officials, and appointed no less than eight overseers. It is evident that the change was made in the interests of economy. Special provision was made for collecting the rate. It was to be levied monthly, not exceeding 1¼d. on houses, 1½d.

[1] Minutes of Annual Vestry, 1724.
[2] Minutes of Annual Vestry, 1725, 1727.

on land, and 2s. for every £100 of stock-in-trade. The overseers were to make the rate monthly, and collect it monthly, and their accounts were to be made up every quarter.[1] These overseers were soon after again divided into two "payers" or "distributors," and six "collectors" or "assistants."[2] Special provision had to be made in 1729, when three collectors refused to perform their duties, and the allowances of some unfortunate paupers fell three weeks into arrear. The churchwardens were directed to present the recalcitrant officers at the cost of the parish, and the other overseers were ordered to hire three proper persons to do the work until the issue was determined.[3]

The entries in the Minutes up to this point are almost entirely concerned with the business of the churches, and, with the exception of a few casual references to poor relief, the first secular entry is that which deals with the care of the parish fire-engines in 1731.[4] But after 1732 the whole aspect of affairs was changed. The church and clergy continued to attract a large part of the attention of the Vestry. But from that date the business of poor relief became more and more important, and a number of other matters of public interest came gradually within the scope of parochial activity. The most important event in the history of the parish is the building of the first workhouse in 1732. From the changes which its erection produced in the organisation of the parish sprang all the complex fabric of government by salaried officials and a representative committee.

The increase in the number of overseers, and the various experiments in the allocation of duties,

[1] Minutes of Annual Vestry, 1728.
[2] Minutes of Annual Vestry, 1729.
[3] Minutes of Special Vestry, 17th June 1729. The presentment was presumably made to Quarter Sessions.
[4] See *post*, p. 133.

show a steady growth in the volume and complexity of parish business. Outdoor relief was again displaying its tendency to outrun the control of the officials. The Poor Rate increased by two-thirds in three years.[1] At last it was decided to provide a workhouse. Negotiations were begun with the trustees of the Charity School, and the Annual Vestry of 1732 confirmed the arrangements which had been thus made by the churchwardens and overseers. The difficulty of raising the necessary capital was overcome in the same way as before. The trustees undertook to build a house, and to let it to the parish at a rent amounting to 5 per cent. on the capital expenditure. The two wings on the south side of the school, containing thirty-six houses already in use, were added to this workhouse. The churchwardens were directed to join with the overseers in making all proper contracts. When the building was erected, the poor were to be set to work, and no rent was to be paid or relief allowed for any person who refused to come into the house.[2]

This marks the end of a definite period in the history of the Poor Law in Liverpool. The system of outdoor relief had steadily become more complicated, more expensive, and more inefficient. The registers of paupers and the provision of houses had been only temporary checks. The policy of increasing the number of officials and the "farming" system had been tried without avail. The Vestry now determined to abandon outdoor relief altogether, and to impose the test of labour and residence in the workhouse itself upon all who applied for assistance.

[1] In 1727 it was 1s. on houses, and 1s. 3d. on lands. In 1729 it was 1s. 8d. on houses, and 2s. on lands. See the Minutes of the Annual Vestries.

[2] Minutes of Annual Vestry, 1732.

The Development of the Constitution (1734–1769)

The constitution of the parish was, in 1734, still of the simplest description, and no departure had been made from the lines laid down by the statute of Elizabeth, except that the number of the overseers was eight instead of four. In the next forty years enormous changes were made. In many parishes corruption and mismanagement began as soon as the parochial business passed beyond the capacity of the unpaid officials, without previous experience, and holding office only for a year. The inhabitants of Liverpool, with more wisdom or better fortune than most of their contemporaries, contrived to develop a remarkably practical system of administration. All was done without regard to statutory powers or the general law of the land. In its completed form the constitution combined in an unusual degree efficiency and popular control. The work of relief was done by permanent salaried officials: a treasurer superintended the financial department; the master of the workhouse managed the indoor relief; and the overseers and collectors looked after the collection of rates and the external administration. The churchwardens exercised a general supervision over the whole; and a committee, elected by the ratepayers at the Annual Vestry, gave advice, decided policy, checked accounts, and reported at regular intervals the condition and progress of the fortunes of the parish. The greater part of this complex organisation reached its complete form before the year 1769.

The growth of the parochial constitution accompanied a great increase in the wealth and population of the town. Trade was advancing with

gigantic strides. The industrial revolution was beginning, and the iron and cotton manufactures of Lancashire already showed signs of their future greatness. Canals and roads provided better communication with the interior than Liverpool had ever known before. Ropeworks, potteries, and windmills sprang up in all parts of the town. Its ships were busy, not only in the regular trade with the Continent and the Plantations, but also in smuggling in Spanish America, and in the most lucrative of all Liverpool trades—the slave trade. All this increase of activity meant that the citizens had less leisure for the management of public business, and representative government was the only means of securing efficiency. It meant also an increased population and more paupers. The volume of business was at first reduced by the erection of the workhouse, and some estimate of the great improvement effected by the new arrangement can be gathered from the fact that the Poor's Levy was immediately reduced by one-third.[1] Still further reductions were effected in the following years. The rate of 1736 was only 9d. on houses and 1s. on lands. In 1729 it had been 1s. 8d. and 2s., a level which it did not again reach until 1763.[2] Even if allowance be made for the increased value of property, it is obvious that the substitution of indoor for outdoor relief enabled the officers to reduce the expenditure by a large amount. But the number of persons to be relieved steadily increased; the workhouse itself required the appointment of some special officers; and the superintendence of the officers meant the delegation of some part of the authority of the open Vestry.

[1] Minutes of Annual Vestry, 1733. In 1734 a levy of £600 was found sufficient (Minutes of Annual Vestry, 1734).

[2] Minutes of Annual Vestry, 1729, 1736.

There is no statement in the Minutes of 1733 that any new officers were at once appointed. But there are references in the later records to an indefinite body of persons called "Trustees of the Workhouse," and to a governor and governess. Two of the overseers were in 1733 called "Overseers of the new Workhouse."[1] The duties of the trustees are nowhere defined, but they seem to have performed the duties which were afterwards assigned to the parish committee, so far as the workhouse was concerned. There are very few references to them in the Minutes. They varied considerably in number, and the churchwardens and overseers appear to have been *ex officio* members. The exact relations between the master, the overseer or superintendent, and the trustees are very obscure. The overseer apparently regulated the work, while the trustees visited the place at regular intervals to give advice, and to see that discipline was preserved.[2]

The trustees were merely an offshoot of the parish organisation, and had little connection with the development of the whole. The most remarkable feature of the new constitution was the parish committee, which is to be found exercising a general control over all business at the end of the second period of the history of the parish. Prior to the recognition of this permanent body it was usual to appoint special committees. The first steps were tentative, and took the form of the appointment of auditors of the accounts. Some-

[1] Minutes of Annual Vestry, 1733, 1734, 1735, 1736. The assistant-governor and assistant-governess make their appearance in 1746 (Minutes of Annual Vestry, 1746).

[2] The appointment of trustees is mentioned in the Minutes of Annual Vestry, 1737, 1739, 1740, 1745, 1747, 1750, 1762, and 1766. In 1750 twenty-seven were chosen. In 1766 they were no fewer than seventy-two. This is the last entry which refers to them, and they seem to have been merged in the parish committee after the construction of the second workhouse in 1769.

times a year or two passed without any such appointment. Then it became regular. Other special committees were elected. These gradually developed into a standing committee. The standing committee was united with the trustees of the workhouse, and more and more powers were entrusted to this body. Finally it acquired supreme control, subject only to the authority of the inhabitants at large. Some of the officers were directly appointed by it; all appointments were made with regard to its recommendation; it conducted inquiries, carried on legal proceedings, superintended the poor relief, opposed and supported Bills in Parliament, and regulated all the parish affairs, both lay and ecclesiastical. Its report was presented at every Annual Vestry, and the Select Vestry, appointed in 1821 under Sturges Bourne's Acts, was nothing more than the old parish committee, with a new title and statutory powers, but pursuing the same objects, and animated by the same disinterested zeal for the public service."[1]

The Minutes of the committee, with some few exceptions, have not been preserved. The Vestry occasionally confirmed their resolutions and made them standing orders.[2] But the only continuous records of their deliberations are contained in the

[1] Audit committees are mentioned in the Minutes of Annual Vestry, 1733, 1739, 1743, 1746; Special Vestry of 14th April 1743, November 1747; Annual Vestry, 1748, 1750, 1752, 1754, 1755. The committee of 1750 was ordered to make a new survey of the town. That of 1752 was empowered to borrow money to pay the outstanding debts. A Special Vestry on the 21st September 1752 made some of their resolutions, which deal principally with ecclesiastical matters, standing orders of the Vestry. This is the first entry in which the term "Parish Committee" is used. The committee was sometimes described as "The Gentlemen of the Parish." After 1764 the Annual Vestry ceased to appoint the members by name, and the order usually took the form "that the Parish Committee be continued," with such additions as the Vestry thought necessary.

[2] Minutes of Special Vestry, 21st September 1752; Annual Vestry, 1766.

Minutes of a few meetings which were held between the years 1769 and 1774. These deal principally with the building of the new workhouse. The committee allotted the contracts for brickwork, carpentry, and glazing and plumbing. It was left to the Mayor's discretion to enter into a contract with the person who made the lowest tender for gates and palisadoes. The committee settled the plans for the new building, leaving small alterations to Mr. Brooks, the treasurer. They authorised borrowing, directed Mr. Brooks to insure the building, and decided such trifling matters as the style of the clock. Other entries in the Minutes refer to the collection of arrears of rates, recommendations to the Vestry as to burials, the division of the parish into three parts with separate collectors, allowance of the treasurer's accounts, a scheme for the employment of the paupers, sexton's fees, coffins, church registers, the expense of watchmen at the docks, and numbering the houses in the parish. These Minutes cease with the entry of the 1st March 1774. But those which remain show clearly enough that by that time the committee were the real governors of the parish. It was inevitable that the standing committee, once established, should appropriate to itself the management of all matters of parochial interest. A permanent representative body will seldom confine itself to the performance of its original duties.[1]

[1] See the Minutes of Parish Committee, 1769 to 1774. In 1788 the committee apparently ceased to exist, and the Mayor and Justices assumed the duty of inspecting the workhouse and examining the outdoor poor. The committee was, however, again elected in 1790 (Minutes of Annual Vestry, 1788, 1790). No explanation is given of this extraordinary abandonment of the most important part of the parochial machinery. The committee after 1790 contained the Mayor, Recorder, and Justices, as well as the rectors, churchwardens, and sidesmen. The physicians and surgeons of the dispensary were added at a later date. The subsequent development of the committee, and its industry in the service of the parish, may be observed in the Minutes of the Vestry and its own Reports, most of which last are preserved in the Minute Books.

While the open Vestry was in course of delegating its powers of control to a representative committee, it converted the small body of officials, changing each year and serving without pay, into a permanent staff, who were regularly re-elected and received fixed salaries. The churchwardens were not affected by any alterations during this period, though they became at a later date the most important officers of the parish. But the records of the other offices exhibit a bewildering diversity of title and function. The "Overseer of the Workhouse" soon ceased to exist, but was reproduced in the treasurer. The "Overseers" were frequently confused with the "Overseer of the Workhouse" and the collectors, and it was not till 1752 that all the offices were definitely separated and the executive assumed something like its final form.

When the workhouse was erected two of the eight overseers were appointed "Overseers of the new Workhouse," and the other six "Overseers and Collectors." The two workhouse overseers were John Brookes and his partner Thomas Cockshutt. They were again appointed by the next Annual Vestry, and received "A present of Ten Guineas value at the charge of the parish." Cockshutt alone was appointed after 1734, and his salary was gradually raised to forty guineas. He continued to act until his death in 1742. The duties attached to his office were to oversee the workhouse, to lay in provisions and materials for manufacture, and to receive and expend the money collected by the other overseers.[1] After his death Thomas Hall was elected master of the poorhouse, "to superintend and take care of the maintenance and employment of the poor therein." He, in fact, performed the same duties as Cockshutt, and was

[1] For the overseer of the workhouse, see the Minutes of Annual Vestry, 1733, 1734, 1735.

required to live in the house. He seems to have combined the functions of superintendent or overseer with those of the master, who was appointed in 1733.[1] In 1744 he was succeeded as superintendent by Mr. Charles Gore, but was continued as master. Mr. Gore was a person of substance, as is shown by the fact that he stood surety for Hall in the previous year in the sum of £500.[2] For some years after this date there is no appointment of a superintendent or overseer of the workhouse, and the references to the visits of the trustees seem to show that the regular system was that of management by the master under the supervision of the trustees and the parish committee.[3] But in 1768 a treasurer was appointed, who assumed all the authority which had been exercised by Cockshutt. His duties were primarily financial, and it was only the peculiar character of the first holder of the office that made him an important executive officer.[4] This treasurer was Mr. Joseph Brooks, who, for the first twenty years after the erection of the second workhouse, exercised almost absolute authority over the business of the parish, an authority which was all the more powerful because it was based upon respect and not upon forms of law.[5]

For many years the Vestry made no distinction between the overseers and the collectors, and the unravelling of this tangled skein is the most difficult of all the tasks of the student of the Minutes of the Liverpool Vestry. Six collectors who were

[1] The first master was Thomas Devias (Minutes of Annual Vestry, 1734). For Hall's appointment see Minutes of Special Vestry, 12th October 1742; Annual Vestry 1743.

[2] Minutes of Annual Vestry, 1744.

[3] Special committees to superintend the workhouse were appointed by the Annual Vestries of 1756 and 1758 (see the Minutes of these Vestries).

[4] The committee recommended the appointment of a treasurer in 1766. See the Minutes of the Annual Vestry, 1766, 1768.

[5] For some account of Mr. Brooks, see *post*, p. 124.

appointed in 1733 seem to have been retained until 1743. Then at the Annual Vestry two "Overseers and Collectors" were appointed, and there is no mention of the six "Collectors." Some of these six continued to act, and it is most probable that they were reduced to the condition of assistants.[1] The two overseers and collectors did not act very long in their dual capacity, and they resigned the office of collectors three weeks after the Annual Vestry. Mr. Thomas Wharton, of Kirkdale, who offered to perform their duties for £20 a year, was appointed "to be an Overseer with them," and received his gratuity of £20.[2] Wharton continued to act as collector for some time, and he was always appointed an overseer by a separate resolution from that which appointed him collector. The number of overseers, including Wharton, was constantly changed, and varied between two and seven.[3] Finally the Vestry ceased to make experiments. In 1752 Stephen Tillinghast or Tollinghurst succeeded Wharton as overseer and collector,[4] and next year the number of overseers was fixed at five. Some unimportant changes were made after the end of the second period of the history of the Vestry.[5] But the main

[1] Minutes of Annual Vestry, 1743. Mr. Thomas Wilkinson, who was one of the six elected in 1741, complained of some refusals to pay taxes in 1743. The committee refer to the negligence of the collectors in 1765.

[2] Minutes of Special Vestry, 26th April 1743.

[3] Minutes of Annual Vestry, 1743 to 1751. In 1744 there were three overseers; in 1745, five; in 1746, seven; in 1747, two; in 1749, four; in 1751, five. One of the assistants received a salary in 1752. After 1762 all of them were paid.

[4] The terms of his appointment are fully set out in the Minutes, Annual Vestry, 1752.

[5] The town was divided into two collecting districts in 1765, into three in 1770, and into four in 1780. In 1787 the committee were empowered to appoint a single collector, but it appears from the treasurer's report of 1794 that assistant collectors were employed. In 1817 the Vestry elected four collectors and four assistant collectors (see the Minutes of the Annual Vestries). The appointment of overseers remained in the hands of the Vestry. In 1780 they were three in number, one of them being the "out" or "active" overseer. They

outlines of the constitution were by that time fixed, and the subsequent alterations affected only details of administration. No reason is given in the Minutes for these astonishing variations in the number of the executive officers, and it can only be conjectured that the Vestry halted between the two opinions that a large parish required a large staff, and that to control a few officers was easier than to control many.

The other officers who are mentioned in the Minutes of this period (1734 to 1769) are the churchwardens and the vestry clerk. The churchwardens did not at this time play a very prominent part in the lay business of the parish, though their influence must always have been great. Their accounts were copied into the Minute Books with great regularity, and show them at first entirely occupied with Church affairs. At a later date they were frequently employed in the more dignified kinds of public business, as soon as that extended beyond the mere maintenance of the churches and outdoor relief to the poor. Their most important duty was the care of the fire-engines, which were put in their charge in 1731.[1] They were frequently members of committees,[2] and always sat on the parish committee when it took its definite place in the parochial organisation. But it was not until a much later time that they became, what they were in 1821, the leaders of the parish.

were definitely separated from the collectors in 1787. In 1791 two assistant overseers were appointed. In 1792 there were three overseers and no assistant overseers. In 1796 there were two overseers. In 1809 an additional overseer was appointed to collect arrears. After 1815 the Vestry elected two overseers at a Special Vestry held a week before each Annual Vestry (see the Minutes of the Annual Vestries and Special Vestries, 1815, 1816).

[1] Minutes of Annual Vestry, 1731; Special Vestry, 2nd May 1750. For some account of the early system of fire-police, see *post*, p. 133.

[2] Minutes of Special Vestry, 8th July 1746, 8th May 1750; Annual Vestry, 1759.

There is no record of the appointment of a vestry clerk until the year 1780. The early accounts and Minutes seem to have been kept by Thomas Sandiford, who received two shillings a year for the work from the churchwardens. But at some later date a regular officer was appointed, who wrote the Minutes of the Vestry and apparently of the committee also, and conducted litigation and prosecutions on behalf of the parish. For a long time he was the same person as the town clerk, and it was not until 1780 that the Vestry had a clerk of its own, though the term "Vestry Clerk" is used in the Minutes of 1752. No salary was attached to the office until the election of the Select Vestry in 1821; but the charges which the clerk made as legal adviser amounted to a considerable sum, and before 1821 his income was more than £1000 a year. During the second period of the history of the Vestry his income must have been much smaller than this, as the civil and criminal business of the Vestry cannot have been very extensive.[1]

The full development of the machinery of government took place during the first three-fourths of the eighteenth century. The delegation of the powers of the inhabitants to a representative committee, the establishment of the permanent staff, the separation of the collection from the expenditure, and the division of the administration

[1] The first reference to the clerk is contained in the Minutes of the Annual Vestry, 1750. His bill is constantly mentioned. He frequently failed to present it, and the arrears accumulated to the great vexation of the ratepayers. See, for instance, Minutes of Annual Vestry, 1752; Special Vestry, 21st September 1754; Annual Vestry, 1753, 1754, 1760, 1762, 1763. He was generally a member of the audit committee (Minutes of Annual Vestry, 1752, 1753, 1754, 1756, 1757, 1758). For his income see the pamphlet, "Parish Economy," by Joseph Dutton, 1816. It is there calculated that he received more than £500 a year from ordinary routine work, including litigation about settlements and bastards. Extraordinary litigation brought him as much again. For appointments of vestry clerks see Minutes of Annual Vestry, 1780, 1797, 1830. His duties are fully set out in this last entry.

of relief, were all completed within a few years of the construction of the new workhouse. The death of Mr. Brooks in 1788 ended the anomalous career of the treasurership, and the subsequent form of the parochial constitution differed only in details from that which was replaced by the Select Vestry system in 1821.

It is not easy to discover the condition of the poor throughout the thirty-seven years which separated the building of the first and the second workhouse. The Poor Rate was fairly steady during this period, though it rose rapidly in the last few years. The most remarkable feature of this time is the complete breakdown of the system of indoor relief. The Vestry of 1733 ordered the churchwardens and overseers "to provide a stock and all things necessary to set the poor at work therein as soon as finished, and see that all the poor be employed therein in such proper work they shall be found capable of and will tend mostly for the advantage of that undertaking, and that no rents or relief be allowed to any person whatsoever out of the workhouse." This was a definite attempt to abolish outdoor relief. But it was not long before the officers broke away from this rigid policy, and in 1752 the Vestry ordered that no relief should be given out of the house except upon an order in writing signed by the Mayor or a Justice of the Peace.[1] In 1761 the Vestry again turned its attention to the weekly pensioners, and ordered that only those persons whose names were on a list settled by the parish committee should continue to have pensions, but that the Mayor and the committee might relieve others whom they thought proper objects of relief.[2] In 1763 the

[1] Minutes of Annual Vestry, 1752.

[2] Minutes of Annual Vestry, 1761; Special Vestry, 26th November 1761.

Vestry made its last attempt to stop the expensive and demoralising practice. The workhouse had been enlarged in 1757, and again in 1762,[1] and the parishioners ordered in 1763 "that no outpensions be allowed to any poor out of the house except to temporary and casual sick who can't be removed to the said house."[2] But even the erection of the new workhouse in 1769 failed to achieve their object. The treasurer and the parish committee kept down the expenditure, and the employment of the inmates in the manufacture of clothes and bedding produced a small revenue. But the number of the poor steadily increased, and far exceeded the capacity of the house, in spite of successive additions and alterations. The statute of 1796[3] established the position of the casual pauper. The Irish poured over in an endless stream. The end of the French war produced an enormous sum of poverty, which drove the rate-payers of Liverpool almost to despair. By the time that the Select Vestry came into power, a vast army of the miserable and the degraded were in receipt of that casual and indiscriminating charity which produces the greater part of the evil which it professes to relieve.

The Period of Constitutional Government (1769–1820)

This third period is perhaps the most interesting in the history of the parish. At the time when the

[1] Minutes of Annual Vestry, 1757, 1762.

[2] Minutes of Annual Vestry, 1763.

[3] 36 Geo. III., cap. 23. It repealed so much of the Act of 1722 (9 Geo. I., cap. 7) as prohibited relief to poor persons in their own houses, and permitted the overseers, with the approbation of the Vestry or the sanction of a Justice, to grant such relief. Justices were empowered to order relief for any industrious poor person at his own house, and the overseers could not refuse to obey. The Poor Law Commissioners in 1832 described this Act as "the great and fatal deviation from our previous policy."

Select Vestry succeeded the parish committee the position of Liverpool was firmly established. The few industries which the town possessed steadily decayed, and nothing of any great importance remained except shipping. But it was a seaport at the mouth of the Mersey that was required above all things by the country, and the citizens of Liverpool could afford to abandon their other occupations and throw themselves entirely into the business of transport. The industrial revolution changed the face of England. The demand for coal and iron caused a great increase in the population of Lancashire and the North. Foreign trade, the Colonial trade, and especially the trade in slaves, became more and more lucrative, and Liverpool was steadily ousting Bristol from its position as the chief port of the country outside London. But in spite of its great natural advantages, the prosperity of the town was seriously threatened more than once during these fifty years. The American war crippled the most important part of the trade—that with the Colonies themselves and that with the West Indies. The great war with France let loose a swarm of privateers and men-of-war, and at the end of it the Orders in Council did almost as much harm as the enemy's ships. But in spite of these obstacles the wealth of the town on the whole increased, and the population at the beginning of the nineteenth century was little short of 100,000 persons. This astonishing growth was not without its disadvantages. It produced an enormous mass of casual labour, a burden from which Liverpool is not yet free. The proximity of Ireland caused a steady influx of the most desperately poor peasantry of the west of Europe. Wealth was concentrated in a few hands, and the prosperity of the merchants and shipowners was shared only in a small degree by the humbler

citizens. So far as the poor relief was concerned, this period was a period of constant struggle against the increase of a poor population, gaining their livelihood by the most casual of occupations amid the most miserable surroundings. For many years the Vestry was able to cope with the increasing demand for relief, but the war proved too great a strain, and the breakdown of the constitution in 1817 made the election of a Select Vestry the only means of salvation.

The constitution suffered little change until the end of this period. The most conspicuous feature was the remarkable influence exerted by the first treasurer, and the subsequent rise of the churchwardens. Mr. Joseph Brooks was elected treasurer in 1768. His duties were purely financial, but his success was great and immediate. During his first term of office the administration of relief was conducted in such a way that more than £800 was saved to the parish. The Annual Vestry of 1769 took advantage of this good fortune, and ordered that a new workhouse should be built according to the plans produced by Mr. Brooks. This building scheme required the superintendence of some responsible officer, and made the treasurer for the time being the most important person in the parish.

Mr. Brooks held a unique position. He acted as treasurer for nearly twenty years, and throughout that time exercised the closest supervision over all parochial business. All the accounts passed through his hands. He superintended the construction of the new workhouse, and managed it after it was built. The provisions were laid in according to his instructions, and he purchased the materials used in the manufacture of clothes and bedding. His exertions saved large sums of money every year, and the parishioners never failed to

acknowledge the debt which they owed to his diligence and economy. Successive Vestries vied with each other in their expressions of gratitude for his past services, and the earnestness of their requests that they should be continued. The Vestry of 1774, as a token of its appreciation, ordered that his portrait should be painted "by one of the most masterly hands in this kingdom." The work was entrusted to Richard Caddick. The picture was hung in the Board Room of the parish offices, where his severe but kindly countenance presides to this day over the deliberations of his successors. Mr. Brooks was one of those disastrously rare persons who find adequate opportunity for the exercise of generous aspirations. He was a member of the Unitarian Church, a society which, in Liverpool, has long identified citizenship with religion. He acquired a comfortable fortune at an early age, and found in the public service a nobler occupation than the pursuit of wealth. He served the parish, without fee or reward, almost to the day of his death; and few citizens of Liverpool have done more to deserve the affection of their contemporaries and the gratitude of posterity.[1]

Mr. Brooks died in 1788, and after a few years the treasurer ceased to occupy the principal situation in the parish. The Annual Vestry of 1789 appointed Mr. Robert Oddie as successor to Mr. Brooks, and voted him a salary of 100 guineas. This meant no alteration in the duties of the treasurer. But he sank at once from the position of an honorary official to that of a paid servant. He was always a man of superior character. But in England a peculiar dignity clings around those who perform public services without remuneration, and this

[1] References to Mr. Brooks are contained in the Minutes of the Parish Committee up to 1774, and in the Minutes of the Vestry till 1787.

ceased from this time to attach to the treasurer of the parish. The only officers who now acted gratuitously were the churchwardens, and the most formal and dignified duties which were required by the Vestry were performed by them.[1] The rise of the churchwardens began as soon as Mr. Brooks died, and at the end of this period they were practically supreme, subject only to the control of the Vestry. They were members of most of the special committees that were appointed, whether to inspect the workhouse, to negotiate with the Corporation, to prosecute felons, to audit accounts, to build churches, or to prepare petitions to the House of Commons. They were associated with the parish committee in the general superintendence of parish business. With the overseers they paid regular visits to the workhouse. They occasionally helped in the purchase of provisions for the inmates, and regulated the allowances of the outdoor poor.[2] During the war with France they were authorised on several occasions, with the assistance of the

[1] The subsequent history of the treasurership can be gathered from the Minutes of Annual Vestry, 1789 ; Special Vestry, 26th October 1791 ; Annual Vestry, 1792, 1797, 1798, 1799. The report of 1794 was made in the name of the treasurer, but all the other reports which are preserved (except that of 1799) were made in the name of the Committee. That of 1799 was entitled "The Report of the Churchwardens, Sidesmen, and Parish Committee." When the treasurer was appointed in 1821, he was expressly restricted to the control of the financial department. It is not clear when the general superintendence of parish affairs passed from him, but the records show that this duty had been assumed by the churchwardens long before 1821. See Minutes of Special Vestry, 3rd July 1821.

[2] See, for example, Minutes of Annual Vestry, 1786, 1788, 1791 ; Report of Special Committee; Minutes of Special Vestry, 26th October 1791 ; Annual Vestry, 1794, 1798, 1801 ; Special Vestry, 22nd September 1803 ; Annual Vestry, 1804. A curious extension of the system of electing churchwardens was made in 1779, when two churchwardens were elected for the new Church of St. Paul's, and again in 1786, when two more were elected for St. John's. No wardens were ever elected for any other church, and no sidesmen were ever elected save for St. Nicholas'. These secondary officials of St. Paul's and St. John's never attained to the position held by the old wardens, who were always dignified by the title of "Churchwardens of the Parish."

overseers and the committee, to raise volunteers for the navy.[1] The cause of their increased importance was the fact that they acted gratuitously. They were men of superior wealth and position, while the overseers and collectors were men to whom a salary was of importance. After the treasurership of Mr. Brooks they acquired the supremacy, not only in Church affairs, but also in the administration of the Poor Law and in the business of local government.

While this period was not distinguished by any important changes in the constitution, it was remarkable on account of the many different kinds of business which were managed by the Vestry through their committee. The committee was by this time the only body which was in any sense representative of the great body of the inhabitants of Liverpool. Any ratepayer could vote on any matter which came under the notice of the general Vestry. The Common Council, on the other hand, was the closest of close corporations. The Mayor, Aldermen, and Councillors confined themselves almost entirely to the management of the valuable Corporation estate, including the docks and the markets, which were controlled entirely by the Council. But the convenience of the inhabitants at large was somewhat neglected by the Corporation, and the prevention of crime, the extinction of fire, the public health, and the repair of the streets, other than the ancient streets, were left entirely to the Vestry. The defence of the port during the French war, and the enrolment of volunteers and militiamen, were managed partly by the Corporation, partly by the Vestry, and partly by private enterprise. The Minutes of this period accordingly refer to a great variety of subjects which were in no way connected with poor relief, and were only managed by the

[1] Minutes of Special Vestry, 21st March 1795, 3rd December 1796.

parish committee because it was the real representative authority of the town.

It is possible during these years to obtain a much clearer idea of the policy and methods of the Vestry in connection with its main business, that of poor relief, than at any preceding moment in its history. The reports, which were annually presented by the committee, have, with a few exceptions, been copied into the Minute Book, and add largely to the scanty information supplied by the Minutes themselves. The workhouse was at first the most important part of the system, and it grew almost as rapidly as the outdoor relief. Six houses were added to each wing in 1776. It was further enlarged in 1791, and again in 1796, and in 1820 it was the most extensive of its kind in the kingdom, and accommodated more than 1500 persons.[1] After the death of Mr. Brooks the management of so great an establishment more than once proved beyond the capacity of the master. In 1791 the scandal was brought to the notice of the ratepayers at the Annual Vestry, and they appointed a select committee of eighteen to conduct an inquiry. The committee's report confirmed to a great extent the charges which had been brought against the master.[2] The Vestry set to work with great energy to remedy the abuses which had been brought to light. The special committee were continued till the next Annual Vestry. £2000 were voted for the necessary alterations to the building. The dispensary physicians, surgeons, and secretary were added to the committee. The parish committee and the select committee were invested with the full power "for regulating the several denomina-

[1] Minutes of Annual Vestry, 1776; Special Vestry, 26th October 1791; Parish Committee, 19th July 1796.

[2] Minutes of Annual Vestry, 1791; Special Vestry, 26th October 1791.

tions of the poor." At the next Annual Vestry Mr. William Halliday was elected treasurer and chief governor, while the master was reduced to the rank of sub-governor.

The new arrangement had all the effect which had been anticipated, and the treasurer's report for the year 1793 was printed at the expense of the parish. The appendix to the report shows that all the inmates of the workhouse, except those who were physically unfit, were engaged in some employment. The greatest number were cotton-pickers, but wool-spinners, cotton-spinners, knitters and seamstresses, and smiths formed a substantial proportion of the whole. The remainder were occupied in various ways, including boatbuilders and swineherds, nurses and yeomen of the smithies.[1] For some years all went well. But the Annual Vestry of 1799 relieved the treasurer of the duty of residing in the house, and the system again fell to pieces. By 1804 discipline was at an end. The consumption of food and drink had increased to an astonishing degree. The paupers stole clothing and shoes, and carried out of the house every portable article on which they could lay their hands. These things were pawned or sold, and the money so obtained was used to purchase the parish wine, which was distributed by the nurses and surgeon's apprentices as they pleased. In the six weeks from the 9th July to the 19th August 1801 no less than 306 gallons of wine were consumed, and the entries in the doctor's wine-book filled more than eighty pages. The clothing was given out as lavishly as the wine. In 1802, 850 inmates required £2067 worth of clothes. In 1829 between £500 and £600 provided all that was needed for 1500. The election of Mr. Hardman as governor in 1804 stopped all this corruption,

[1] See the Treasurer's Report of 1794.

and the workhouse was the department in which the Select Vestry found least cause of complaint.[1]

By the end of the eighteenth century the activities of the Vestry extended to a number of matters not connected with either the churches or the workhouse. The entries in the Minutes refer to hospitals and prisons, fire-engines and watchmen, the defence of the town against the French, and the enrolment of militiamen and volunteers for the navy. But it cannot be claimed for the inhabitants of Liverpool that they displayed as much genius in all their business as in the development of their constitution. With the exception of the workhouse and the hospitals, there were few institutions which could compare favourably with those of other towns.

The system of police was lamentably inefficient, and little alteration was made throughout the eighteenth century. The first mention of any means of extinguishing fire occurs in the Minutes of the Vestry of 1732. But it was not until 1747 that the ratepayers decided to maintain a regular force of police in the town. The Vestry occasionally ordered payments to be made out of the Poor Rate for prosecuting thieves and rioters,[2] but the prevention of crime seems to have been left, with lighting and scavenging, to private enterprise. In 1738 it was represented to the Vestry that the old custom of making each housekeeper watch in turn, or provide and pay for a proper substitute, was no longer sufficient. The Vestry accordingly divided the town into two districts, one to the north of Water Street and Dale Street, and the other to the south, and directed that a separate watch should be kept in each.[3] The uselessness of this irregular

[1] See the statement of Mr. Hardman in the *Liverpool Mercury*, 16th April 1830.

[2] Minutes of Annual Vestry, 1738, 1746.

[3] Minutes of Annual Vestry, 1738.

system was soon apparent, and the Vestry of 1747 ordered that a petition should be presented to Parliament for liberty to make a levy "for the keeping a Regular Watch, Cleaning, and Lighting the Streets of the Town. To be regulated by the Vestry from time to time." In 1748 a committee was appointed "for giving Instructions to get an Act of Parliament" for the same purpose.[1]

The Act was obtained without any difficulty, and a special Vestry, held on the 17th October, appointed eighteen commissioners "for putting the said Act into Execution." A levy not exceeding 6d. in the pound was ordered to defray the expenses of administration. There are very few references in the Minutes to the commissioners and their duties. They were elected annually by a special Vestry, and their names are always set out in full in the Minute Book.[2]

The organisation of this early police force is obscure. The same persons, sixty in number, performed the duties of watchmen, lamplighters, and scavengers. The scavenging seems at first to have been done under the superintendence of a contractor, and afterwards under that of one of the overseers.[3] The whole system was very bad, and as late as 1768 it was a common practice to empty privies into the street at midday.[4] While the cleansing of the streets was neglected, little was done to prevent crime, and the inhabitants found voluntary associations the best protection. In 1787 the condition of Toxteth Park was so unsafe that the Earl of Sefton and other gentlemen formed one of these associations to protect their houses and orchards, and raised a special fund for the prosecution of

[1] Minutes of Annual Vestry, 1747, 1748.
[2] See, for example, Minutes of Special Vestry, 17th October 1748, 26th April 1758.
[3] Minutes of Special Vestry, 2nd May 1750; Annual Vestry, 1753.
[4] *Liverpool Chronicle*, 11th February 1768.

burglars.[1] The parishioners at last came to the conclusion that the number of watchmen was insufficient, and a special Act was obtained which authorised an increase.[2]

The cleansing of the streets at the end of the century was even less well done than the prevention of crime. The dirt was collected from the streets, as the character of the pavement allowed, but it was permitted to remain in great heaps, sometimes for as long as ten days. On dark nights these heaps were a constant danger to passengers, and exhalations disturbed the health and comfort of all who came near.[3] In 1804 the commissioners listened to the universal complaint, and published a series of resolutions prescribing the duties of the watchmen. These resolutions were printed in the form of a pamphlet. The town was divided into nine districts, and two commissioners were allotted to each. The chief executive officers were the two captains. Under them were nine foremen. The streets were to be swept twice a week, and on two other days the watchmen were to sweep the sidewalks, kennels, and passages. Their wages were proportioned to their diligence, and fines were imposed on those who neglected their duties. The dirt collected from the streets was deposited at laystalls, where it was sold by the captains for manure. The proceeds of the sales belonged to the watchmen in common. The rules conclude with a series of "General Orders to the Watchmen," which lay down their duties in case of fire, nuisance, and crime.

[1] *Chronicle*, 12th April 1787.

[2] Minutes of Special Vestry, 15th November 1787. The number varied according to the season, and advertisements were issued for able-bodied men who were willing to serve during winter. See an example of these advertisements in the *Advertiser*, 20th September 1790.

[3] See the description of the anonymous writer quoted in Picton, *Memorials of Liverpool*, i. 255.

This protean body was assisted to some extent by the Corporation watchmen, and there was a special force for the protection of the docks.[1] The Corporation divided the town into five wards, and provided five head constables and ten assistant constables. In 1811 this number was increased to twenty-one. The strength of the united force was at that date less than 150 men, who were required to protect the lives and property of a population of 100,000. The prevention of ordinary crime was not more beyond the capacity of the watch in Liverpool than in other towns. But breaches of the peace were far more violent, and the police had frequently to deal with extraordinary riots.[2] A seaport will always attract a larger proportion of the turbulent and disorderly than an inland town. But Liverpool has added to its natural disadvantages the religious antipathies of Ireland, and fights between Orangemen and Catholics were as numerous and bloody as in the streets of Belfast or Waterford. The anniversary of the Battle of the Boyne was the usual time for these demonstrations of religious zeal. On one occasion the police were besieged in their own lock-up, the doors were beaten in with axes and crowbars, the captain of the watch was nearly killed, and the assistance of 100 special constables and a detachment of the 80th Regiment was required before the crowd was finally dispersed.[3]

The history of the Fire Brigade resembles that of the police. Fire-engines were from time to time presented to the parish, and it was not until 1773 that an engine was provided out of the public

[1] Originally paid by the parish, but afterwards by the Corporation. Minutes of Annual Vestry, 1772.

[2] See, for instance, Picton, i. 293, 354, 464, 601.

[3] *Mercury*, 13th July 1835. The Vestry in 1829 resolved that some magistrate should be desired to attend the meetings of the commissioners, that reporters should be admitted, and that lists of contractors supplying goods to the commissioners should be produced every year. Minutes of Vestry, 29th April 1829.

funds.[1] The Minutes contain few references to these engines. They were placed in the charge of engine-keepers, who oiled and cleaned them, and provided water when required.[2] The general superintendence was at first entrusted to the churchwardens, who were directed to have the engines played at regular intervals to see if they were in good order.[3] In 1750 an attempt was made to put the apparatus in charge of the commissioners of the watch, but this order seems to have been ignored.[4] There are occasional orders for the removal of the engines to more convenient situations.[5] The whole system seems to have been most haphazard, and the provision of water was left to chance. In 1754 William Chamberlain was allowed 30s. for a regular supply.[6] In 1760 the Vestry devised an ingenious system of payment "for the encouragement of persons to bring water to extinguish the fire." The first cart was to be allowed 2s. 6d., the second 2s., the third 1s. 6d., and all others 1s.[7] The fire insurance offices began to assist the Vestry about this time, and provided fire-buckets. In 1781 the

[1] Minutes of Annual Vestry, 1731; Special Vestry, 24th July 1749; Annual Vestry, 1773. Buckets were occasionally purchased. Minutes of Special Vestry, 29th November 1748; Annual Vestry, 1762, 1773.

[2] Appointments of engine-keepers are mentioned in the Minutes of Annual Vestry, 1731; Special Vestry, 29th November 1748, 2nd May 1750; Annual Vestry, 1765.

[3] Minutes of Annual Vestry, 1731; Special Vestry, 2nd May 1750.

[4] Minutes of Annual Vestry, 1750; Special Vestry, 2nd May 1750.

[5] Minutes of Annual Vestry, 1734; Special Vestry, 29th November 1748, 21st September 1752; Annual Vestry, 1754, 1770.

[6] Minutes of Annual Vestry, 1754.

[7] Minutes of Annual Vestry, 1760. Water-pipes were provided by the Bootle Waterworks Co. in 1802, and the Corporation Waterworks Co. erected fire-plugs, to the cost of which the Vestry contributed £100. Report of 1802. These pipes were found very useful at the time of the great fire in the Goree warehouses in the same year. An order was made in 1804 for a Bill to be prepared to provide, among other things, "for the better prevention and extinction of fire." Minutes of Annual Vestry, 1804. Nothing apparently was done in pursuance of this order.

Liverpool Fire Office took the engines in charge, and undertook to provide proper men to work them, and this scheme seems to have been retained until the establishment of the first fire-police by the Select Vestry and the Corporation in 1826.

The reputation of the Liverpool charities was acquired at a very early date. The various almshouses, orphanages, and funds for the maintenance of seamen's widows were not all controlled by the Vestry, and call for no special mention.[1] But the Vestry was one of the first in the kingdom to make public provision for the sick poor, and its treatment of the hospitals of the town deserves more than a passing notice. The first step was apparently taken in 1768. In 1769 Dr. Goldie was appointed "to take care of the poor at the same price as he had last year, having discharged his duty to the satisfaction of the parish and poor in general."[2] The duties of the parish physician seem to have consisted of attendance on the sick in the workhouse and regular visitation of the outdoor poor in their own homes.[3] But in 1778 the Vestry made a great step in advance. Proposals were laid before the parish committee for the institution of a public dispensary, and the Vestry ordered that the treasurer, as soon as the building was erected, should pay 100 guineas a year to the committee of the dispensary. This grant was continued by the next Vestry, "it appearing to the Vestry from the return of patients from thence that upwards of two thousand have been admitted thereto since the thirty-first of August last."[4] So great was the success of the first institution that a larger and better

[1] A full list of the Liverpool charities was published by the Vestry in 1794. A copy is preserved in the Minute Book.
[2] Minutes of Annual Vestry, 1769.
[3] Minutes of Annual Vestry, 1776.
[4] Minutes of Annual Vestry, 1778, 1779.

equipped building was erected in 1780. The Corporation gave the site, and the Vestry lent £1000 to defray the cost of building. The management of the institution was left to the subscribers or their committee, and the Vestry continued its grant for several years without interference. But the financial crisis produced by the great war almost crippled the dispensary, and after a severe struggle with the economical party, headed by Mr. Joseph Dutton, the grant was increased to 300 guineas.[1] The Select Vestry in 1823 raised the contribution to 500 guineas, on condition that they should be governors of the dispensary, and should have an unlimited right of recommending patients.[2]

The dispensary was not the only charity which was endowed by the parish. In 1786 four houses were provided for hospitals for casual paupers.[3] A lunatic asylum was built by private subscription in 1787,[4] and regular payment was made out of the rates for all inmates who had a settlement in the parish. The salaries of the parish midwives were increased to £30 a year by the Annual Vestry of 1790. The care of the sick in the workhouse was as good as could be provided in a badly planned building. The special committee of 1791 found the arrangements insufficient, and alterations were carried out under the supervision of the physicians and surgeons of the dispensary. But it was soon apparent that infectious diseases could not be safely treated in a building which was crowded with healthy paupers. Dr. James Currie began to agitate for a separate fever ward. He was opposed, curiously enough, by the wealthy and well-educated, and found his strongest supporters among the small

[1] Minutes of Special Vestry, 6th August 1816; Annual Vestry, 1817, 1818, and the reports of these Vestries in the *Mercury*.
[2] Minutes of Annual Vestry, 1823, 1824.
[3] Minutes of Annual Vestry, 1786.
[4] Minutes of Annual Vestry, 1787.

ratepayers. After more than one unsuccessful attempt, he succeeded in carrying his motion in a crowded and excited Vestry in 1796. The physicians and surgeons were added to the parish committee "for the purpose of taking into consideration the necessity of making or building a more commodious Fever Ward than the present either within or without the walls of the workhouse." They recommended certain alterations, which were carried out under the direction of the chief governor. But the influence of the opponents of sanitary reform, who feared that a separate building would spread infection and depreciate neighbouring property, was exerted upon the committee, and the appropriation of part of the House of Correction as a fever ward was postponed until the conclusion of the war.[1] Dr. Currie refused to abandon his project, and the Vestry of 1801, on his motion, ordered the ward to be built on the ground to the south of the workhouse. The work was completed with some alteration in the site, and the cost was paid at first out of the Poor Rate, and subsequently by a special rate imposed in 1802.[2] There was at first some resistance to this new rate. But the arguments of the committee were irresistible, and they were able to report in 1803 that the collection of the rate was proceeding without unusual delay.

Additional medical officers make their appearance in the Minutes. An apothecary was appointed in 1802. A house surgeon to the workhouse is mentioned in the Minutes of the Annual Vestry of 1823.[3] By the same Vestry the workhouse was

[1] Minutes of Parish Committee, 19th July 1796.

[2] Report of 1802; Minutes of Annual Vestry, 1802. The rate was 9d. in the pound. See also the Reports of 1803, 1804, and the *Memoir of Dr. James Currie*, by W. W. Currie, 1831, vol. i. pp. 338–343. The fever ward was extended and a Lock Hospital added in 1824. See the Report to Annual Vestry, 1824.

[3] Minutes of Annual Vestry, 1823, 1826.

thrown open to the medical profession generally. The honorary officers are mentioned in this last entry. They were at first appointed by the Select Vestry, but after 1823 by the ratepayers, and there were frequently contested elections.[1] Two hundred guineas were voted to the Infirmary in 1831, and the same sum was given to the Northern Hospital in 1834.[2] When the numerous institutions which were maintained by private donations were added to those which were supported by the rates, it is clear that the warfare against disease was waged in Liverpool with better weapons than were available to the majority of towns in the country. So highly developed was the charitable system that the Select Vestry complained that it was the cause of a large part of the influx of vagrants into the town.

The history of the management by the Vestry of other departments of public business may be gathered from the Minutes and the Reports of the Parish Committee.[3] On more than one question the parish came into direct conflict with the Corporation, and the quarrels about the repair of the streets, the rating of the town dues and the docks, and the rent of the workhouse, deserve special mention. Neither party displayed any bitterness in these controversies, but neither was wanting in that determination with which local

[1] See, for example, Minutes of Special Vestry, 18th May 1826; Annual Vestry, 1829, 1830; Special Vestry, 18th May 1832, 28th February 1833. The polling sometimes lasted for three days, and several hundred persons voted.

[2] Minutes of Annual Vestry, 1831, 1834.

[3] Special Vestries to raise volunteers for the navy were held on the 31st March 1795, 3rd December 1796. See the Minutes of these Vestries. Another meeting was held to prepare defences against invasion. Minutes of Special Vestry, 4th May 1798. Another meeting was held for a similar object in 1803. Minutes of Special Vestry, 28th July 1803; Report of 1804.

authorities are accustomed to conduct litigation. The condition of the streets had long been a public scandal. At the end of the eighteenth century Clayton Square and the lower part of Islington were the only streets which had flagged footwalks. The roadways were paved with blocks of stone, with little regard to the evenness of the surface. In 1799 the occupiers of some houses and shops in Lord Street began to lay down flags opposite their own premises.[1] But private enterprise was too irregular to provide an adequate remedy, and in the same year the Corporation determined that the disgrace should be removed. A petition was accordingly presented to the House of Commons, and leave was obtained to bring in a Bill.

The Committee laid the matter before a Special Vestry on the 1st February 1799. The Vestry naturally resolved that the Corporation were bound to repair the streets at their own expense, and authorised the Committee to appoint a deputation to confer with the Common Council. Nothing of importance was done until 1803, when a decision at the Assizes cast the burden of repairing all except "ancient streets" upon the inhabitants at large, that is to say, upon the Vestry. The Committee assumed the duty with their usual energy. The Corporation lent them every assistance. Six of the Committee were appointed Surveyors of highways. A rate was levied to raise the money required, and the Corporation not only advanced all that was needed immediately, but placed their own men at the disposal of the surveyors.

The parish were more successful in their other struggles with the Corporation, and succeeded in recovering from their adversary at least as much as they lost in the expense of repairing the streets.

[1] *Liverpool Advertiser*, 11th July 1799; Brooke's *Liverpool in the Last Quarter of the Eighteenth Century*, p. 451.

It was not a time when the Committee could afford to neglect any means of increasing the parish revenues. The great war was causing a steady increase in the parochial expenditure, and the Minutes and Reports of the Committee contain constant references to the burden of debt and the growing numbers of the poor. The price of provisions rose, and trade was steadily declining. The Committee, by the exercise of rigid economy, contrived to avoid any heavy increase in the Poor Rate. Outdoor relief was given as sparingly as possible.[1] The collectors were stimulated to greater activity.[2] But the demands on the parish were increased directly as well as by the collapse of trade and the want of regular employment. An Act of 1793[3] added the maintenance of the families of militiamen to that of the regular poor. An Act of 1796[4] gave legal sanction to the system of payment in relief of wages, a system which in many parishes meant the complete demoralisation of the labourers, and cannot have been without some evil effect in Liverpool. The renewal of the war after the Peace of Amiens taxed the resources of the parish more heavily than before. In 1802 the Committee reported an increase of 250 in the workhouse, and an immense addition to the out-expenditure. A further increase was noted in 1809. In 1812 the Committee stated that "during a year of unexampled distress and with an increase of Poor never before equalled . . . means adequate to the demand have been raised on the occasion under the immediate direction of your Churchwardens." The churchwardens had, in fact, re-

[1] Report of 1807.
[2] Report of 1799.
[3] 33 Geo. III., c. 8. The Bastardy and Militia Department was constituted in 1798. Minutes of Annual Vestry, 1798; Report, 1799.
[4] 36 Geo. III., c. 23. See *ante*, p. 122.

sorted to the desperate expedient of borrowing, and the debt which was incurred at this time was not finally discharged until after the appointment of the Select Vestry. But on the whole, the conduct of the Committee during this time of stress and anxiety was beyond praise. The nominal amount of the rate remained at the same level throughout the war,[1] and it was not until the coming of peace that the parish entered upon a course of extravagance which nearly reduced it to bankruptcy. But whatever the diligence of the Committee, they could never have maintained the rate at such a low level but for their success in discovering fresh sources of revenue.

It was inevitable that their attempts to impose rates on property which had previously been exempt should meet with strong opposition. Their attention was turned first to the dock duties, then to the Corporation tolls, and lastly to the profits of ships registered in the port. The Vestry of 1786 ordered "That the several Docks be rated in aid of the Poor Tax, &c." The rate was made, but the Corporation, as trustees of the docks, refused to pay. The Vestry retaliated by ordering a rate to be laid on the Corporation tolls, as well as the dock dues. The Corporation then made a fresh move, and objected to pay the rate on the tolls on the ground that some money was due to them from the Vestry as rent for the site of the workhouse.[2] The quarrel extended over several years, and it is difficult to understand why legal proceedings were not begun at a much earlier date. The Vestry ordered this step to be taken in 1788, but the

[1] The rate was 2s. 6d. in 1790. In 1794 it was reduced by 6d. In 1795 it was again 2s. 6d., and it remained at this level till 1802, when it was increased to 2s. 9d. In 1807 it was 2s. 2d. In 1810 it was 3s.; in 1814, 2s.; in 1815, 2s. 6d.; in 1816, 2s. 3d.; and in 1817, 2s. 6d. The average for the twenty-seven years was therefore 2s. 9d.

[2] Minutes of Annual Vestry, 1786, 1787, 1788, 1790.

rate on shipping was proposed, ordered, disputed, accepted, and levied before the negotiations about the dock dues were completed.

At a Special Vestry in 1793, Mr. Robert Carr, a Tory solicitor, who was the moving spirit throughout this matter, gave notice that at the next Annual Vestry he would move that a rate be levied upon shipping. There seems to have been some doubt whether the rate would be upheld, but Mr. Carr cited the case of Poole, where the Justices had recently confirmed the assessment of ships, and his motion was carried.[1] The shipowners objected that ships were not personal property within the parish, and declined to pay the rate. The Vestry of 1794 heard the objections which were made by the committee of merchants, and appointed a committee of six to confer with them. The negotiations were unsuccessful. Mr. Carr was elected churchwarden in 1795; an attempt was made to enforce the rate, and the Vestry were defeated. In 1796, in spite of the opposition of Mr. Carr, a motion was carried "that no more parish money be paid or expended in the defence or prosecution of any suit touching the said rate on shipping."[2] The merchants, having thus secured their own position, proceeded to divert the attention of their adversaries to a more easy victim. At the same Vestry the claim against the Corporation tolls was at last revived, and a committee was appointed to confer with a committee of the Common Council upon all matters of dispute between the parish and the Corporation.[3]

The special committee presented its report on the 4th October 1796. The objection of the Cor-

[1] Minutes of Special Vestry, 15th January 1793; Annual Vestry, 1793. A similar rate was supported by the King's Bench in 1824. R. *v.* Hull Co., 3 B. & C., 516.

[2] Minutes of Annual Vestry, 1794, 1795, 1796; Treasurer's Report of 1794.

[3] Minutes of Annual Vestry, 1796.

poration was not to the principle of the rate upon the tolls. They claimed only that they had a right to set off against the demand of the parish a claim for rent for the site of the workhouse. The workhouse had been built on Corporation land in 1769, and no rent had ever been paid. £4000 had been borrowed from the Corporation to pay for the building, and interest had been regularly paid on this at the rate of 4½ per cent. No lease of the land had ever been granted, and the only reference to a rent being required for the land itself was contained in an order of the Council appointing a committee to determine its quantity and boundaries. Under these circumstances the joint-committee arranged a compromise, which was ratified by the Vestry. The Corporation granted a lease of the land at present covered by the workhouse and its outbuildings, and of three neighbouring plots, for the term of 1000 years. The consideration for this lease was £1050, which was to be credited by the Vestry as paid by the Corporation on account of the disputed rate. The interest then due on the £4000 was to be treated in the same way. The balance of the rate was to be paid forthwith by the Corporation, and the committee undertook to recommend to the Vestry that the £4000 be paid as soon as possible, with interest at 5 per cent.[1]

The attack on the shipowners was renewed in 1797. The indefatigable Carr procured the rescission of the order preventing expenditure of parish money in supporting the shipping rate, and the Vestry ordered that his costs of defending actions should be paid by the parish. Ships were then rated at 3d. per ton.[2] The resistance was again stubborn, and the parishioners more than once

[1] Minutes of Special Vestry, 4th October 1796. The debt was finally discharged in 1798. Report of 1799.

[2] Minutes of Annual Vestry, 1798.

ordered the churchwardens and Committee to take legal proceedings.[1] The trial of a feigned issue was expensive, and if the appropriate remedy of distress was tried, the Committee pointed out that "every distress would be followed by an action, and thus the parish would be kept in hot water to a time not to be named."[2] Nothing short of an agreement by which each merchant would feel himself bound could settle the matter. Finally, a small sub-committee met a few representatives of the shipowners. The latter denied their liability. The Committee thereupon, after more than thirty meetings, worked out what they thought a fair system of rating upon the basis of treating the profits of ships as a species of personal property. This system was very effective. The rate on ships and other personalty would have produced £2037, 10s. 9d. in 1800. In 1802 it was calculated to produce £8502. The great majority of the merchants acquiesced in it as soon as it was made. But the Committee referred with grave disapproval to a few, who, "living without the boundaries of the parish, but exercising their business within them, thereby added wealth to their already vastly accumulated fortunes, and increasing the number of the poor; yet, under these circumstances, have refused to contribute, in common with the poorest housekeeper of the parish, their mite to the relief of the distressed."[3] The Committee referred in their Report of 1802 to the arrears on the dock and town dues, which by this time amounted to £12,000.[4] Application had been made to the magistrates, and judgment would be delivered at their next meeting. The Committee were confident that it would be in favour of the

[1] Minutes of Annual Vestries, 1799, 1800, 1801.
[2] Report of 1800.
[3] Report of 1801, 1802.
[4] Minutes of Annual Vestry, 1798; Report of 1800, 1802.

parish. Their confidence, so far as the town dues were concerned, was not misplaced. The parish won its case, and the Committee found themselves in possession of a warrant of distress, which was perfectly useless to them, owing to the fact that the Corporation had practically no property upon which the warrant could be executed. But it was eventually agreed that the matter should be tried at the Assizes.[1] The Corporation were beaten, and the parish received £9592, 13s. 2d. in payment of arrears.[2] On the question of the dock dues the Court was found on the side of the Corporation. The law's delays contrived to postpone the decision until 1807, and shortly after the Annual Vestry of that year the King's Bench decided that the Corporation could not be assessed on the amount of their receipts from the dock dues, as they were not in beneficial occupation of them. The decision was wrong. But the similar cases which were decided about this time received such different treatment at the hands of the different judges, and the true principle had become so obscured by the multitude of conflicting decisions, that the Committee were probably right in not pushing on their appeal.[3]

Ships and Corporation tolls were assessed for

[1] Report of 1803.

[2] Report of 1804.

[3] Report of 1808. They anticipated defeat. (Report of 1804.) The true principle on which receipts from dock dues are rated is expressed in the exhaustive judgments of the House of Lords and the majority of the judges in Mersey Docks *v.* Gibbs (House of Lords Cases, vol. xi.). The fact that those who receive the dues do not expend them on themselves, but on public purposes, does not make them any the less beneficial occupiers. Beneficial enjoyment does not mean personal enjoyment, and the only persons who are exempt are those who hold property as representatives of the Crown itself. In 1826 the constitution of the Dock Board, which had previously been merely a committee of the Common Council, was modified by the introduction of some elected members. An attempt was made to rate the dock dues under the new Act, which provided for this alteration, but the Court again decided against the parish. R. *v.* Inhabitants of Liverpool, Barnewall & Cresswell's Reports, vol. vii. p. 61.

some years without dispute. But the rate on shipping was found difficult both to assess and to collect. Several actions were brought in the King's Bench, and after four or five years of costly litigation the rate was abandoned.[1] The rate on stock-in-trade soon followed it.[2] The shipping rate is constantly described in the Reports of the Parish Committee as equalising the burdens of the "merchants" and the "tradesmen." But the difficulty of collection and assessment was even greater in the case of stock-in-trade than in the case of ships. The Annual Vestry of 1813 decided to give up the attempt to recover a rate which caused irritation among a large body of parishioners. It resolved, Mr. Carr protesting, that "the assessment on stock-in-trade is unjust in principle, and found incapable of being collected with impartiality, and therefore that it be discontinued."[3]

By this time the condition of the poor in Liverpool was desperate. Prices rose and wages fell. The vast expenditure on the war drained the blood of industry, and the enemy's ships and the orders in Council combined to choke the foreign trade of the town. Dock labourers, porters, and carters were thrown out of work in hundreds. The Irish found Liverpool less dreadful than their own country, and the stream of immigration never ceased. Bad houses, bad drainage, and an enormous number of public-houses drove the people deeper and deeper into the abyss of misery and degradation. There were 1300 paupers in the workhouse, and 8000 in the streets. One inhabitant in every

[1] See the speech of Mr. George Cooper at the Annual Vestry of 1832. *Mercury*, 27th April 1832.

[2] The last orders for rating stock-in-trade occurs in the Minutes of 1763 (Poor Rate) and 1767 (Church Rate). It seems, however, to have been continued. The committee was directed to consider it in 1776. Minutes of Annual Vestry, 1776.

[3] Minutes of Annual Vestry, 1813.

ten received parochial relief in one form or another. Voluntary effort helped manfully to grapple with the gigantic evil. But upon the top of distress came maladministration, and the parish abandoned carefulness and economy at a time when there was more need of both than at any other period of its existence.[1]

The Breakdown of the Constitution

The history of the parish had hitherto been marked by an unusual absence of corruption or misconduct on the part of its servants. But the increasing volume of business, the claims of other occupations upon the time and attention of the Committee, and the difficulty of keeping alive the interest of the large and fluctuating body of parishioners, gave opportunity for abuse, of which the officials were not slow to avail themselves. The reports of the Committee were not copied into the Minute Book after 1812. The Minutes of the Annual Vestries for the few years following 1810 are comparatively scanty, and the only important resolution which they contain is that by which the tradesmen procured the abolition of the rate on stock-in-trade in 1813. This was intended to relieve the shopkeepers at the expense of the tenants of offices and private houses. But the ultimate result, as might have been expected, was to add to the amount which the tradesmen were compelled to pay as occupiers. Finding their burdens as great as before, the parishioners began to make inquiry into the expenditure, and some ominous resolutions appear in the Minute Book. In 1815 the Church and Poor Rates were ordered to be kept

[1] A perusal of the contemporary newspapers will disclose an amazing condition of wretchedness and vice. See, for example, *Mercury*, 23rd April 1813.

distinct, "and applied to the respective purposes for which the Rates will be laid." The same Vestry passed a vote of thanks to Messrs. Moss, Dale, Rogers, and Moss, who had accommodated the parish with various loans "in times of pressing necessity."[1] The parish was, in fact, borrowing to pay the expenses of administration.

The Vestry of 1816 passed several very important resolutions. Mr. Joseph Dutton had recently published an able pamphlet on "Parish Economy," and most of the parishioners were in possession of a copy. Mr. Dutton, during the next few years, took a very prominent part in parish affairs. He constantly proclaimed that he was no party man, and, but for the abuses which he was fortunate enough to discover, he would probably have remained in that obscurity which in England always hangs about independent virtue. But a time of stress and difficulty, and especially a time of extravagance and inefficiency, seldom fails to give such a man his opportunity. One party will support the abuses. The opposition of the other will seem insincere. But the independent citizen, who has not obtained the respect of one faction by losing that of the other, will obtain a ready hearing from all who pay the rates. Such a man was Mr. Joseph Dutton.

It appears, as the result of his investigations, that no less than £11,000 was spent every year in the collection and expenditure of £28,000 of parish money. The accounts, though showing some improvement of late, had been irregularly kept. The debt had greatly increased. Large sums were spent in salaries to unnecessary officials. Arrears were allowed to accumulate to the extent of two-thirds of each annual assessment. Contracts were signed, and payments made for ornamental and

[1] Minutes of Annual Vestry, 1815.

unnecessary works. No corruption was suggested. But a spirit of extravagance prevailed in all departments of parochial administration, and the committee found it difficult to discover, and still more difficult to check any particular acts of impropriety.

The perusal of this pamphlet made the Annual Vestry of 1816 a crowded and indignant meeting. Dinners at the workhouse at the expense of the parish were forbidden. Money was to be voted to individuals only on motion made in the Vestry, and after a minute in writing had been given to the Clerk. No sum exceeding £200 was to be laid out by the churchwardens and overseers without the consent of a Vestry. All works of that magnitude were to be executed under contracts for which sealed tenders were publicly invited. The treasurer's salary, which the last Vestry had increased to £400, was reduced to £300, and the recommendation that the salaries of the governor and matron be increased was summarily rejected. In the midst of their struggle for economy, the parishioners did not omit to press their disapproval of a monstrous regulation of the churchwardens, which forbade any Dissenting minister to visit the sick in the workhouse. The Vestry declared that in future Dissenters should be put upon the same footing as the clergy of the Established Church and Catholic priests.[1]

In spite of these drastic resolutions, the abuses still continued, and a Special Vestry was called on the 6th August. An attempt was made to put the constitution of the parish upon a legal basis. The churchwardens proposed that application should be made to Parliament for a Special Act to enable a Vestry to appropriate out of the proceeds of the Poor Rate a sum sufficent to pay the salaries of the

[1] Minutes of Annual Vestry, 1816.

officials. Mr. Dutton attacked the motion on the ground that by placing the administration in the hands of a committee it violated the Poor Laws and subverted the principles of the constitution. He saw clearly enough that bureaucracy and popular government could not exist together, and preferred the dangerous incidents of the old system to the vicious principles of the new. His amendment was carried. An attempt was then made to increase the grant to the dispensary. Mr. Dutton again opposed the motion, and succeeded in postponing it to the Annual Vestry. The meeting closed with a vote of thanks to the indefatigable champion of economy.[1]

In the midst of these efforts to reduce the burden of the rates, the conclusion of the war with France flung an additional load upon the parish. A Vestry was called in January 1817, and ordered a special rate of 6d. in the pound. A committee of three was appointed "to inquire into the cause of the enormously heavy County Rates." The Vestry also resolved, with startling vividness of language, that the frightful increase in the numbers of the poor was due to "the unmitigated pressure of Taxation, a Taxation which, in its insatiable cravings, swallows up the Means of honourable Employment for the Industrious, strips the Poor of their scanty means of existence, and threatens those who have hitherto been able to maintain their Stations in the middle Ranks of Society, with immediate ruin and beggary." The last of this remarkable series of resolutions directed a petition to be presented to the Commissioners of the Treasury, asking them to abstain from the forcible collection of the taxes on dwelling-houses, which appeared to the Vestry to be the most pressing burden upon the shoulders of the inhabitants.[2]

[1] Minutes of Special Vestry, 6th August 1816.

[2] Minutes of Special Vestry, 28th January 1817. The petition was rejected.

The Annual Vestry of 1817 made further efforts to secure economy. It appointed a Committee of Finance "to act with the Churchwardens in making all Contracts respecting their Office, and in the examination of the Demands of Tradesmen and others upon the Parish." The churchwardens and overseers were directed to appeal against the County Rate. A fresh survey was ordered. The Committee were asked to divide the town into districts for the purpose of a stricter inquiry into the condition of the poor. It was ordered that the assistant collectors of taxes should be remunerated by a percentage on the amounts which they collected.[1] But all the good which was produced by these resolutions were destroyed by the appointment of Mr. John Dennison as churchwarden, and the parishioners found to their cost that no system of government can be better than the men who administer it. The only authority recognised by the law was the churchwarden. But the good sense of the parishioners and the acquiescence of the magistrates had supported the whole complicated fabric of parochial administration upon the steadiest of all political foundations—the goodwill of the governed. Mr. Dennison proceeded to shake the edifice from summit to base.

Even the grave and formal entries in the Minute Book convey some impression of the horror and indignation with which the parishioners followed his headlong course. He was not a thief. He put no money into his own pocket, and his adversaries acknowledged that the collection of the taxes had never be so thorough. But he was arrogant and headstrong. He disobeyed the express orders of the Vestry, flouted the Committee, and cared no more for the protests of his indignant colleague than Cæsar cared for those of Bibulus. The Vestry

[1] Minutes of Annual Vestry, 1817.

ordered the assessments to be reduced to three-fourths of the annual value. Dennison refused to obey, and in some cases actually increased the assessment. The Committee met twice, and were told that the churchwarden had no objection to informing them of his intentions, but would not obey their instructions. At the second meeting Mr. Dutton warned Dennison that he would appeal against any improper charges. After this intimation Dennison proceeded as before. The Committee were never summoned. The weekly dinners in the great banqueting-room at the governor's house were continued in all their former splendour. Enormous quantities of wine were consumed at these feasts and distributed among the clergy of the various churches. There were unnecessary additions to the buildings of the workhouse. Large sums were expended out of the Church Rate on stained-glass windows for St. Peter's, chimes, fire-bells, and a Gothic archway in St. Nicholas' churchyard. Smaller improper payments were made for umbrellas for surveyors, half-a-dozen fine-laced hats, hat-bands at Mr. Barrow's funeral, and 5s. for "Mrs. Taylor's pudding Receipt for Christmas."

Smarting under these impositions, with the demand of the Government for a large sum appropriated by one of the collectors of taxes looming over their heads, the parishioners met in great wrath on the 25th March 1818. Dennison was solemnly condemned in several resolutions, and a special committee was appointed to make a minute inquiry into his accounts. But Dennison's resources were not yet exhausted. Mr. Archdeacon Clarke refused to take the oaths of the new churchwardens and sidesmen, and Dennison continued to act as the senior churchwarden of the parish. He attempted to pass his accounts at a Special Vestry which he summoned for the 20th May. In a hand-

bill which he issued on this occasion (at the parish expense) he invited "the friends of the CHURCH" to support him against the parish committee, and to check "that spirit of opposition and dissent which has of late years characterised every Parish meeting, and almost nullified the solemn obligations and necessary Duties of a Churchwarden." His appeal to the English love of order, established authorities, and the Christian religion was cleverly designed. But he might have remembered that he was dealing with a people who had cut off the head of a most religious king because he tampered with their money.

No sooner had Dennison moved that his accounts be passed than Mr. Dutton rose, and moved that the meeting adjourn till the special committee presented its reports. This was carried by a majority, and after directing proceedings against the Archdeacon the meeting dispersed. Fresh difficulties soon arose. Dennison professed to levy a rate for the current year, and nearly one hundred appeals had been entered before the adjourned meeting was held. The report of the committee was presented on the 9th June, and repeated all the charges which had been made by Mr. Dutton. The Vestry resolved with great solemnity that it owed it "as an imperious duty to itself, to the parish at large, and to posterity (as well as a warning to all future Churchwardens) in an exemplary manner to punish the late Churchwarden John Dennison." It declined to pass the accounts, and forbade the treasurer and all succeeding churchwardens to pay those which were still undischarged. The churchwardens were ordered to issue a writ of account against Dennison for those improper payments which had been actually made. As the defence of the appeals which were to be brought against the new rate would cost the parish £1400 or

£1500, the magistrates were to be asked to quash the rate without hearing the appeals. The Vestry noted the fact that Dennison was collecting a Church Rate, and ordered the churchwardens to see that that duty was performed by the proper collectors. Finally it thanked the churchwardens-elect for their declared intention to act with economy. The last indignities were not spared the fallen enemy, and the tablet which he had erected in St. Peter's Church, "and bearing his name," was ordered by the Annual Vestry to be pulled down.[1] This Vestry also accorded its "most grateful thanks" to Mr. Dutton for his "eminent services," and suggested that a subscription should be instituted to repay him the expenses which he had incurred in the public interest.

There remained only the repayment by Dennison of the sums which he had improperly expended out of the parish funds. He attempted to make terms with the committee through his solicitor, Mr. Radcliffe. But the committee, under the influence of Mr. Dutton, refused to consider his proposals until he had paid the sum of £681, 10s. 0d., which the magistrates had disallowed on Mr. Dutton's application. The payment was made unconditionally, and the committee recommended that the Vestry should consider the propriety of giving some compensation to Dennison as an act of grace.

Honour being satisfied, and the recalcitrant officer brought to his knees, the Vestry resolved to purchase from Dennison some of the goods which he had bought. The total cost of his improper purchases was £2149, 11s. 10d. The Vestry decided that, subject to the committee's approval, bills amounting to £1630, 2s. 2d. should be settled out of the Church Rate, and that the articles in question should be taken over by the parish. The

[1] Minutes of Annual Vestry, 13th April 1819.

committee ultimately allowed the payment of all these bills subject to some discount. The rest of the accounts remained open, and the proceedings were for a short time dropped. But the friends of Dennison took up his case with great energy. It seems clear that he had not acted corruptly. His splendid dinners were no more expensive than those of his predecessors, and his other extravagances had tended to the glory of the town rather than to his own profit. There was also no doubt that some items had been improperly disallowed, though Mr. Dutton claimed that these were balanced by those which had been improperly admitted.

By July 1822 a requisition for a Special Vestry to consider his case was signed by no less than 105 "very respectable Inhabitants." Nothing was done until the 15th April 1823. In the interval Mr. Dutton and his opponent carried on the campaign with great vigour. Two motions were made at the Vestry—the first that Dennison should be paid £1500, on condition that he gave up three painted windows ordered by him, and now in his possession; the second, that certain items in his accounts, amounting to £677, 14s. 6d., should be allowed and paid by the parish. The discussion was the longest that had ever taken place in the history of the Vestry. The meeting lasted all day, and was adjourned to the 16th. Mr. Dutton and his supporters then debated until the time of evening service, and a second adjournment took place. On the 17th Mr. John Smith, one of the Dutton party, moved, first, that Dennison's claims be rejected; and, second, that the 105 "most respectable and wealthy Inhabitants" who had supported his claim should themselves subscribe the sums necessary to reimburse him. As a slight relief to Mr. Dennison he proposed that the parish should pay £189 for the three windows. The second of the two original

motions was then withdrawn, and the wrangle went on until five o'clock.

On the 18th an opinion of Dr. Lushington was read. The 2nd May was devoted to the consideration of other opinions of counsel. All agreed that though it was undoubtedly illegal to levy a special rate for the purpose of paying the claim, yet it was open to the Vestry to pay it out of any moneys actually raised and in hand. Finally, it was decided to take a ballot on the two substantive motions. The ballot lasted no less than twelve days. The second day left a majority for the first motion of four persons and 137 votes. As each ratepayer had a number of votes proportioned to the amount of his assessment, it appears that Dennison was at first supported by the wealthier portion of the population. But the next day found him in a minority, and on the last day of the ballot the majority against him was 317 persons.

The story was not yet finished. The Annual Vestry of 1826 considered two motions—the first, that the churchwardens should enter into arbitration with Dennison; and the second, that he should be paid 1000 guineas out of the Church Rate. A ballot took place, and after three days the amendment was carried by a majority of 102 persons and 607 votes, again showing the support of the plural voters. Whether from want of funds or from wilful disobedience, this order was not carried out, and the next Annual Vestry, after a ballot lasting four days, directed the same payment to be made by a majority of 151 persons and 549 votes. A second claim was rejected in 1829, and a petition from Mr. Dennison was ordered to lie on the table. Another claim was rejected in 1831. Yet another application was made as late as 1834. A letter was read at the Annual Vestry from "Mr. John Dennison of Kendal," asking for the payment of

his accounts. Mr. W. W. Currie moved that a committee be appointed to inquire into the matter, but this was negatived on a show of hands, and the claim was never renewed.[1]

The most important result of the breakdown of the illegal system of government by a committee was the election of a Select Vestry under Sturges Bourne's Acts.[2] These Acts were the result of the investigations of a Select Committee of the House of Commons, which made its report in 1817. In many parts of the country the administration had broken down. Open vestries were disorderly mobs. Close vestries were nests of robbery and corruption. The overseers were frequently without experience and authority, and those who had a strong sense of duty were often thwarted by the charitable Justices of the Peace. The rates were increasing rapidly. Relief was distributed without investigation and without limit. Money was paid by the parish to make up deficiency in wages, and the employers profited at the expense of the public. The condition of many workhouses made their name a mockery, and the idle and profligate were as sure of subsistence as the industrious and deserving. Mr. Sturges Bourne endeavoured to provide more efficient machinery, as well as to enforce better principles of relief. The appointment of permanent salaried officials was for the first time made legal. Select Vestries were to be chosen by the ratepayers, whose votes were proportioned to the amount of their rates. It was hoped that some uniformity of policy would be obtained by the employment of permanent officials, and that the representative body would be more careful of the parish funds than a

[1] A full account of the early part of this controversy is contained in Mr. Dutton's pamphlet, "Proceedings against Mr. John Dennison," 1824. Other details are supplied by the Minutes of the Vestry and the accounts in the newspapers.

[2] 58 Geo. III., cap. 69, and 59 Geo. III., cap. 12.

committee chosen on an open franchise. The great vice of the Acts was that they were not binding on any parish that did not formally adopt them. In Liverpool it was only after a struggle of some years that the Select Vestry was appointed.

The Special Vestry, which received the report on Dennison's misconduct, resolved that a Vestry be called to appoint a Select Vestry. But the parishioners disregarded, upon reflection, the resolution to which they had in their wrath committed themselves, and the meeting was never held. The attack of the party of economy was renewed. The Committee for the Investigation of Parish Affairs published a series of reports. These reports pointed out the growth of casual relief, the want of control over expenditure, and the convincing fact that the rates were now more than 7s. in the pound. In August 1820 a Special Vestry was summoned upon requisition to elect a Select Vestry. There was a long and violent discussion. The Radicals attended in large numbers, and denounced the system of plural voting upon which the Vestrymen were to be elected. The motion was treated as a motion of want of confidence in the present officers. An amendment was moved "that the grateful thanks of the Vestry be presented to the parish officers for their great and disinterested services, and that they be respectfully requested to continue the same." On the show of hands the amendment was carried by 130 votes to 24.[1]

The defeat was only temporary. The next Annual Vestry brought a second notice from the party of economy, and on the 10th May the election began. The opposition was vigorous and protracted. Two motions for adjournment were defeated, and it was decided by 151 votes to 21 that a Select Vestry should be appointed. The actual

[1] Minutes of Special Vestry, 22nd August 1820.

elections took place on the two following days. The Radicals were not very numerous, and they soon gave up the contest. On the first day nearly 400 persons voted, on the second day less than 300. Three members were unanimously elected. There were twenty-six nominations, and ten candidates were defeated, leaving a Select Vestry of sixteen members.[1]

With the appointment of the Select Vestry came an alteration in the titles and mode of election of the parish officers. Every officer was after this date an "Assistant Overseer."[2] The Minutes are fuller and more formal, and are always signed by the Chairman. The Select Vestry presents two reports every year—the first to the Annual Vestry, and the second to a Vestry which meets, in accordance with the Acts of Parliament, on the 25th October.

Government by Select Vestry (1820–1835)

The effect of these alterations in the parochial constitution was greater than might be expected. The outward form was practically the same as before, and the spirit which animated the Select Vestry was no purer than that of the Parish Committee. But the Select Vestry had behind them what the Parish Committee never had, the force of statutory authority, and they were supported by an indignant society of ratepayers. Once more the historian of democratic sympathies is bound to admit that extravagance is not a monopoly of aristocracies. Few bodies are more capable of preaching economy than a popular assembly. The failure of the Liverpool Vestry is not the only evidence that few are less capable of practising it.

[1] Minutes of Special Vestry, 9th June 1818, 22nd August 1820; Annual Vestry, 1821; and Special Vestry, 10th May 1821.

[2] They were first appointed by Special Vestry, 3rd July 1821.

The Select Vestry was not wanting in industry, and in protecting the important principle of private property, they defended also the vital principle of public honesty. They set to work with great energy to investigate the abuses which had crept into the administration of relief, and their reports give valuable indications of their general policy. From the first they set their faces against that indiscriminating relief of poverty which was at this period practised throughout the country, and had affected even the severity of the Parish Committee of Liverpool. The control of the Committee had, as a rule, been strict. It was first relaxed about the beginning of the century. There is an ominous reference in the Report of 1800 to the fact that the churchwardens had increased the allowances of the outdoor poor, in some cases as much as twofold, "to all according to their wants." It is not surprising to find in the next Report the statement that there was "an immense addition in the out expenditure." But it was not until the last few years of the old system that the pursuit of economy was abandoned. The cost of casual relief for the year ending in March 1815 was £5588. In the next twelve months it was £6152. By March 1817 it rose to £11,230. In 1818, 1819, and 1820 it was more than £18,000 a year. The Poor Rate in 1817 was 1s. 9d., with the addition of a special rate of 6d. In 1820 the rate was 4s. 4d., and in 1821 no less than 7s. 2d. All this excess was steadily reduced by the Select Vestry.

Their first duty was to check the corruption which had already begun, and could only be stopped by an authority armed with extraordinary zeal. An accountant named Edwards was directed to examine the books, and his report, on the whole, was most unfavourable. The churchwardens had been guilty of extravagance and unnecessary expenditure; pay-

ments of accounts and salaries had been allowed by the treasurer without the written order of the churchwardens; the churchwardens themselves had habitually paid large sums to parish officers without requiring regular accounts; the expenditure on wine and spirits had always been excessive. Finally, "the accounts were confused and irregular to a degree, calculated to admit of great loss, profligate expenditure, and even designed frauds." Whole streets had been passed over in making the assessments, to the great profit of the landlords and loss of the parish. Not more than one-third of the sums actually assessed were paid, and the proportion of dwelling-houses which paid rates was not even one-fourth of the whole number assessed. Many of these houses were occupied by persons in receipt of outdoor relief.

Abuses in the distribution of relief were numerous. Persons to whom relief had been granted in cases of temporary need, such as illness or childbirth, had remained on the books for as long as thirty years. Some had applied for relief on the ground that they could not otherwise support their children, and had continued to receive it when the same children had acquired sufficient means to support their parents. All the evils which were so heartily condemned by the Poor Law Commissioners in 1834 were at this time flourishing in Liverpool, and they were destroyed by the adoption of those principles which the Commissioners recommended. The Select Vestry found that the best remedy was the rigorous application of the labour test. Pecuniary relief was only to be granted "in cases of occasional and temporary emergence." Men were employed in making roads, in cultivating a piece of vacant ground known as the "Rectors' Fields," in cutting stone in the quarry at Brownlow Hill, or in breaking stones for the highways. Children of the

outdoor poor were employed in making pins, and when this was found unprofitable, in weaving. Many of these children were apprenticed to manufacturers, and their good character and the double supply of clothing with which they were equipped maintained a great demand for their services. The paupers in the house were set to whitewash the cellar dwellings of the town. Every man, woman, and child, whom age or infirmity did not make physically incapable, gave the parish some return in the form of labour for the sums which were expended in relief. The most striking testimony to the wisdom of the new policy is afforded by the reduction in the number of paupers, and the amount of the annual expenditure. In the first six months of 1819 the number of indoor poor was 6410, and of outdoor poor 14,800. In the corresponding periods of 1822 the numbers were 3901 and 6694. The expenditure had in the meantime fallen from £21,210 to £10,395.[1] During the years ending in March 1820 and March 1823, the average weekly numbers and the total expenditure were[2]—

Year.	Number in House.	Cost.	Outdoor Poor.	Cost.
1819-20	1562	£12,819 19 2	3553	£25,494 19 0
1822-23	1142	7,027 0 0	1719	10,049 13 0

At the same time, residence in the workhouse was made less attractive by cutting down the supplies of articles of luxury. Tobacco and snuff were distributed only to the aged. Ale was allowed to nurses, foremen, and others in confidential situations, and the ordinary pauper could only obtain it in case of illness. The Select Vestry adopted this policy "from the conviction that the Law does not authorise the providing the poor with anything beyond a sufficiency of plain and wholesome food;

[1] Report of October 1822.
[2] Report of April 1823.

consequently that, if they allow indulgences which are not attainable by vast numbers of the industrious and independent poor, they exceed the Powers with which they are entrusted as dispensers of the parish funds, and become fairly liable to the charge of offering a direct premium upon Pauperism."

The cold-blooded administration of the Select Vestry drew some protest from charitable ratepayers, and in the Report of the 25th August 1822 the Vestry defended its policy in words which should be inscribed in letters of gold in the office of every parochial authority in the kingdom.

"Having already trespassed upon your time to an extent far beyond their original intention, the Select Vestry will now close their Report by submitting one or two observations to such persons as may be of Opinion that, in the exercise of the discretion with which they have been vested, they have distributed relief with too sparing a hand. The arduous and responsible Duty which devolves upon men who have the distribution of public funds will not be disputed; but it is sometimes overlooked, that although some discretion is permitted, that discretion is regulated and limited within narrow bounds. Relief is to be granted by Rule, and according to Law, and not capriciously, or from the irregular impulses of compassion. He who dispenses from the public purse is bound to recollect that the money he bestows upon one man has been previously taken from another; that what he is about to confer upon a pauper has been drawn from the earnings, perhaps from the hard and laborious earnings, of independent labour; that the existence of Parish Rates is in itself an evil, only to be tolerated in the choice of difficulties, consequently that the appropriation of the parish funds, in every instance, can be justified only by the necessity of the case."

In spite of the reduction of expenditure in relief and economies effected by alterations in the staff, the Select Vestry were confronted with serious difficulties in their efforts to lessen the burden of the ratepayers. The town swarmed with ale-houses and dram shops. Mr. Dutton stated in his "Parish Economy" that every ninth house in the town was one or the other. In their Report of the 21st October 1821 the Select Vestry said that the number of licensed houses was twice as large in proportion to the population as the average of the other large towns of the kingdom. They found the existence of these establishments to be the cause "of the wretched and abandoned state of a great number of the poor of this Parish," and sent a deputation to the Mayor to represent to him the importance of gradually diminishing the number of licenses. In the meantime, they were determined to enforce in the most summary way the payment of the sums assessed upon these premises towards the relief of the distress for which they were so largely responsible.

A second difficulty was the large number of vagrants in the town. About this period we find the first traces in the Minutes of the great invasion of Liverpool by the Irish labourers. These unhappy people came over in great crowds to seek in England the sustenance which they could no longer find in their native land. The melancholy procession passed through the town and spread itself over the surrounding districts in search of work. The vast majority found themselves no more fortunate in England than in their own country, and returned in misery and despair to wait about the streets of Liverpool until they were shipped back to Ireland. The cost of this fell in the first instance upon the parish, and it was not until the town clerk reduced his law charges in 1823

that it was worth while to apply for repayment by the county. Two-thirds of the poor who received casual relief were Irish.[1] The number of those who were passed over to Ireland in 1825 was as large as 1100. The Report presented on the 31st March 1827 stated that more than 7000 had been sent back in the preceding twelve months. No less than 3343 of these were chargeable to the parish of Liverpool. Some of them came from the south of England. So great were the advantages which were afforded to the suffering poor in Liverpool, that many came even from Bristol. A building was provided in which the poor wretches were housed pending the departure of their ship. So foul did this become, that in 1829 it was reported to the county magistrates as a public nuisance. But it was not until 1832, when a visitation of cholera was daily expected, that the Select Vestry awoke to a sense of its responsibilities, and part of a building at the back of the parish offices was fitted up for the purpose of a pass house.

The Select Vestry, on assuming office, found a great inequality in the mode of assessment of small houses. Many of these were altogether omitted from the Rate Book, and only a small portion paid the rates which were actually laid upon them. By one of Sturges Bourne's Acts, when houses of a yearly value of less than £20 were let for any less term than one year on any agreement by which the rent should be reserved or made payable at any shorter period than three months, the occupiers were exempt from the Poor Rate, and the burden was thrown upon the owners. In Liverpool this Act withdrew from liability the tenants of a very large proportion of the houses. In 1823 the small tenements were about 14,000 in number, or nearly

[1] Minutes of Vestry, 1st October 1824.

two-thirds of the whole.[1] No town has suffered more severely than Liverpool from the misdeeds of past generations. The main object of the citizens of the eighteenth century was the acquisition of wealth. The glory of the city, the health of the inhabitants, and the ease of posterity had been thrust into the background. Hospitals, poor relief, and other ephemeral remedies had been generously applied. But the paving of the streets, the supply of water, the system of sewers, and, above all, the housing of the poor, had been shamefully neglected. Many thousands of persons dwelt in houses which had neither water-pipes nor sewers.[2] The dank and noisome cellars, spread with filthy straw, were the sleeping places of thousands more. The rents of these dwellings were as precarious as the lives of those who inhabited them, and they had never yet paid rates. It was at one time a common practice to let them to the miserable and degraded for the express purpose of avoiding the demands of the parish collectors. A respectable and industrious tenant would probably be rated, and the rent which he could afford to pay would be reduced accordingly. But an idle, thriftless, and irresponsible person could claim exemption from rates on the ground that he had not the means of paying them. It was therefore to the interest of the owner of this type of property to fill it with incorrigible rogues, trusting that the occasional rents which he might be able to exact from them would amount in the whole to more than he could obtain from the regular payments of a decent member of society. So widespread had this mischief become that, in 1769, the parish com-

[1] Report, 1st April 1823.

[2] Whitechapel and Paradise Street were frequently flooded. In 1789 large numbers were driven out of their houses, and the vacant wards of the infirmary were turned into temporary residences for them (Brooke, p. 452, Minutes of Annual Vestry, 1790).

mittee ordered the collectors to apply to the magistrates "for Warrants to levy the Taxes upon Persons in Arrear and especially on Tenants who take House or Lands to clear them of Taxes."[1] At the same time the Mayor and the committee published a remonstrance, pointing out that this practice was filling the streets with begging women, children, whores, and thieves, and by giving multitudes of poor people a settlement in the parish was only increasing the burdens of the ratepayers.[2]

Soon after the Select Vestry came into power, an attempt was made to recover rates from cottage property. A Special Vestry, held on the 6th December 1821, ordered, by a majority of 195 persons and 1536 votes, that the immediate lessors of houses yielding between £6 and £20 yearly should be assessed, a reasonable deduction, not exceeding one-half, being made from the full nominal rent. The opposition was violent. The landlords pointed out that the rents were precarious, that the repairs were costly, and that the burden must ultimately fall upon the unfortunate tenants. Mr. Churchwarden Benson stated in reply that, with a single exception, all the persons to whom he had given relief had told him that it served to pay their rent and not to provide them with food. The landlords were, in fact, drawing their rents from the parish rates, to which they refused to contribute a farthing. The war which thus began lasted intermittently for nearly twelve years, and ended in the complete victory of the landlords.

Its course can be traced in the Reports of the Select Vestry from 1823 onwards. Negotiations failed to produce any effect. When legal proceed-

[1] Minutes of Parish Committee, 12th December 1769.

[2] *Liverpool Chronicle*, 28th December 1769. This proclamation is set out in full in Troughton's *History of Liverpool.*

ings were taken, the landlords proceeded to evade the statute by making their tenancy agreements by the year, but collecting the rent by the week or month. This state of things was allowed to continue until 1830. The Select Vestry then reported to the Annual Vestry that out of 26,230 tenements in the parish "upwards of 18,000 assessed at £225,000 have evaded the payment of Parish and County Rates." A Bill had been introduced in the House of Commons by Mr. Slaney in 1829, and again in 1830, and the Select Vestry had presented a petition in its support. They had communicated with other parishes labouring under similar grievances, and had great hopes of success. The Vestry directed that if the Bill failed to pass, the Select Vestry should take proper measures to obtain a local Act.

Slaney's Bill was not carried into law, and a Special Vestry met on the 27th January 1831 to consider a local Bill. The approval of this meeting drove the landlords to present a requisition for a Special Vestry to rescind the order. The meeting was packed by the landlords and their supporters, and their motion was carried. But they were beaten at the end of a single day's poll by such a heavy majority that they gave up the contest. The Bill was supported in Parliament with all the energy of a local authority seeking to increase its revenues. It was opposed with all the energy of landlords seeking to protect their own. It is not surprising that even in a Whig House of Commons the owners of real property had the best of the contest. The Bill was only saved by its supporters consenting to reduce the maximum annual value of houses affected by it from £15 to £12.

The landlords attempted to retaliate at the next Vestry meeting. A clause had been originally inserted in the Bill which gave the landlords a power

of taking summary possession of their houses, in case the tenants failed to pay the rent. This clause was struck out of the Bill. The landlords accordingly moved that the Select Vestry should apply for a special Act containing the lost clause. The motion was carried on a poll as well as on a show of hands. "But Mr. Wotherspoon, a Ratepayer, attended at the taking of the Votes, and protested against the Proceedings altogether as having no relation to Parochial business, and gave notice to the Churchwardens that he should oppose the passing of their Accounts if they contained any Item of Expenditure on account of the Summary Possession Bill." This very reasonable objection seems to have had effect. The Bill was never prepared, and at the Annual Vestry of 1832, the Select Vestry reported with satisfaction that they had received £4230 in respect of cottage property.

All these meetings were the scene of the wildest disorder. The slight opposition which had been shown on the original appointment of the Select Vestry had soon vanished. The efficiency of the new administration, and the consequent reduction of the rates by one-half had disarmed even the most vigorous champions of popular rights. But the rating of cottage property stirred up hostility not only to that particular measure, but to every proposition made by the Select Vestry, and to the principles upon which its constitution was based. One honest grievance begets many bastards. The church was crowded at every meeting by angry Radicals, who opposed every motion made by the official party. The sacred watchwords of liberty and economy were declaimed with increasing vigour. The nominees of the Select Vestry were opposed. The salaries were cut down. Scandals were discovered at the workhouse. The accounts were not passed. Every possible opportunity was

taken for attacking the policy and methods of the Select Vestry. Even a meeting summoned to consider the measures to be taken against cholera ended in a wrangle about cottage rates. The defenders of the Special Vestry were greeted with howls and hisses, and cries of "He's not a rate-payer!" "Pay your rates!" while Dr. Collins and the other popular champions spoke amid thunders of applause. The demand for a poll, which followed every defeat of an official motion, was the signal for renewed uproar, and meetings were sometimes prolonged, amid incessant clamour and interruption, from midday to six o'clock. It is significant that every amendment which was carried in the church was beaten at the poll by a majority containing the larger proportion of plural voters.

The struggle lasted until the Annual Vestry of 1833. At the Vestry of 1832 the opposition moved that cottage owners, owners of ships or stock-in-trade be exempt from the rates, and that the Small Tenement Act be repealed. The official party moved that ships and stock-in-trade only be exempt. The usual wrangle followed. The meeting was packed by the Select Vestry, and they were successful both on the show of hands and at the poll. But the tide soon turned. At the Vestry of 1833 the landlords triumphed over their adversaries. It was moved that the Small Tenements Act be repealed. The churchwardens said that they would not oppose the motion, and it was carried unanimously "amidst great cheering and clapping of hands." The contemporary account proceeds: "This concession acted like oil on the troubled waters. All was instantly harmony and good-humour, and several of the amendments were withdrawn."[1] It is rather melancholy to find that with the liability of the cottage owners vanished all the

[1] *Liverpool Mercury.*

grievances against which they had fought so strenuously. This Vestry was perhaps the most turbulent of all that had met since 1821. Those which followed it were conducted with all proper decency and order. There was some heated discussion about the Church Rate, and occasional attacks upon individuals. But the salaries were passed without question, the accounts were hardly discussed, the officials were unanimously elected, and nothing more was heard of abuse of the inmates of the workhouse. The Select Vestry itself had lately been denounced as a wealthy oligarchy, which employed an army of useless and expensive officials to grind the faces of the poor. After 1833 it was permanently restored to the affections of the parishioners, and at the Vestry of 1836 a motion to abandon Sturges Bourne's Act found only a handful of supporters.[1]

The fourth of the great difficulties with which the Select Vestry had to contend was the inequality of the County Rates. The total of these rates in the year 1815 was only £200, 12s. 11d.[2] The first report of the Select Vestry stated that they now amounted to an income-tax of no less than 5 per cent. upon the ley-paying property within the parish. So unfair was the assessment over the whole county that a rate of 3d. in the pound throughout the district had to be met in Liverpool by a rate of 1s. 1d. The assessment was based on a survey of 1815, and remained unchanged in spite of the great alterations that had taken place in the value of property.[3] The rental of Manchester was undoubtedly greater than that of Liverpool. But the rateable value of Manchester was taken at £303,732, and that of Liverpool at £584,687.

[1] *Mercury*, 9th April 1836.
[2] Letter from Mr. George Forwood, *Mercury*, 2nd March 1821.
[3] Report to Annual Vestry, 1825.

The total amount levied upon Liverpool in 1820 was £13,705, 17s. 8d., and in 1821 £13,477, 10s. 5d., while Manchester paid little more than half of those sums.[1] The Select Vestry sent a complaint to the County Magistrates on the 29th September. They pointed out the grievance under which they laboured, and showed that during the three years 1818, 1819, and 1820 the average parochial assessment had been only £387,800, and that rates had been paid on no more than £258,600.

The application unfortunately failed. A committee was appointed by the County Bench, and reported in favour of a revision of the assessment. At a second meeting a dilatory amendment was brought forward, and the motion was lost by a great majority. The Select Vestry applied for a mandamus. But the Court held that the matter was in the discretion of the magistrates. They had the report of their committee before them, and levied a rate. The fact that the committee advised against the rate did not give the Court jurisdiction to interfere with it. The dispute continued for several years. More than once the Vestry ordered legal proceedings to be taken, or directed the Select Vestry to apply to the County Bench for a fresh survey. The Annual Vestry of 1827 complained that the County Rate was no less than £15,837, and the Select Vestry said that their inactivity was due to the enormous expense of the legal proceedings that would be necessary. The Vestry approved of a rate of 9½d. in the pound to meet the charge, and ordered a Special Vestry to be called if the County Magistrates took no steps at their next meeting to secure a more equal assessment. Mr. Bootle Wilbraham, who had throughout exerted himself on behalf of the parish, again attempted at the meeting of the magistrates to carry his motion

[1] Pamphlet, "County Rates," 1827, Appendix VI.

for equalisation of the rates. But he was again beaten. The Special Vestry met on the 25th October, appointed a committee of five with full powers to deal with the matter, and ordered 5000 copies of the Select Vestry's report to be struck off for the use of the parish. The County Rate at the next Annual Vestry was fixed at 9d. in the pound. But the troubles of the ratepayers were nearly ended, and the October Vestry had the satisfaction of hearing that the County Magistrates had made a new assessment.

The magistrates had never denied the unfairness of the old system. But they found, as conservative bodies always find, that the expense and trouble involved in making the change made it undesirable that justice should be done. No local authority had ever appealed against the rate, and in the absence of any judicial decision, they were not prepared to alter the assessment. The Select Vestry accepted the invitation, and appealed against the rate. The hearing took place on the 9th July. The townships which were alleged to be benefited by the assessment were West Derby, Walton on the Hill, and Preston. The appeal against Walton was dropped at an early stage, and the case against West Derby was not heard. But against Preston the Select Vestry won a complete victory. It needed nothing more than to compare the parochial and county assessments of the town. The former was £61,483 and the latter £34,936. The Bench accordingly decided that the county assessment of Preston ought to be raised to £63,271.

The magistrates met on the 11th September, and decided that the whole county should be assessed on a new valuation. All overseers were required to send in sworn returns of the annual value of their townships. Tenants were summoned to give evidence as to the actual rent of their

premises. The case of Liverpool came on on the 11th February. Nearly 400 persons were examined on oath, and the average difference of their parochial and county assessments was applied proportionately to all the property in the parish. The proceedings ended in three days, and the result was that the assessment of the whole county was raised from £3,106,039 to £4,214,634, and that of Liverpool from £584,687 to £751,126. Taking the average of the County Rates for the past four years, the committee estimated that the saving to the parish would be £792 per annum, and with this ridiculous mouse the ratepayers had to be content. The committee endeavoured to make the news more palatable by adding that the value of land and buildings in Liverpool had increased so rapidly that in a year or two the process would have automatically abolished the inequality. By way of further consolation, they added that the costs of the whole business would be little more than £250.[1]

The relations of the Select Vestry with the great body of the ratepayers were on the whole those of mutual trust and confidence. The violent agitation against the Select Vestries and all other oligarchies, which convulsed England during the struggle for Parliamentary reform, was felt to some extent in Liverpool. But nothing is more clear than that the outbreaks at the annual meetings were almost entirely due to the hostility of the owners of cottage property. The reports gave a full and candid account of the acts of the Select Vestry, and of the policy which they intended to pursue. The discussion which took place every Easter Tuesday was never avoided or repressed, and attention was

[1] See the Minutes of the Annual Vestries of 1822, 1824, 1825, 1826, and 1827; the Reports of the Select Vestry; and the pamphlet, "The County Rates."

always paid to the recommendations and orders of the open Vestry. The character of the members of the Select Vestry was the same as that of the members of the old Parish Committee. They were generally chosen from the wealthy merchants and professional men, classes which in Liverpool have provided a long succession of capable administrators and faithful representatives. The growth of religious toleration opened the parish offices to men of all varieties of opinion. A Dissenter was elected churchwarden in 1830, for the first time in the history of the parish,[1] and a Roman Catholic was appointed to the Select Vestry in 1831.[2]

The Select Vestry occasionally fell short of its lofty standard of public duty. In 1829 it was alleged at the Annual Vestry that "a certain brewer contrived to engross a great deal of parish business; he supplied the workhouse with liquor, barm, and grain at his own prices; he was a surveyor of highways, and a treasurer, and carried his corruption so far that he even compelled the paviours, in the employ of the parish, to take their ale from him. When this man was required to furnish accounts to the parishioners, he said he despised them all, threw up his trust and kept the money." The Vestry accordingly resolved that a list should be produced at each Vestry showing the names of all who had supplied articles for the use of the poor during the preceding six months.[3] At another time the practice grew up of allowing blank cheques to be signed by members of the Select Vestry and completed by the Vestry Clerk.[4] It was admitted that this was not a regular practice, and it was

[1] Minutes of Annual Vestry, 1830.

[2] Minutes of Special Vestry, 4th November 1831; *Mercury*, 6th November 1831.

[3] Minutes of Annual Vestry, 1829. A similar resolution was soon afterwards passed dealing with the Watch Commissioners.

[4] *Mercury*, 15th March 1833.

apparently not continued. With these two exceptions there were no charges brought against the Select Vestry which were not defeated either by the disclosure of the facts or the discovery of the motives of those who made them.

The Select Vestry did not confine itself to the performance of the duties which were imposed upon it by law. Sturges Bourne's Acts permitted the authorities which they created to administer the Poor Law and nothing else. But the Select Vestry of Liverpool succeeded the Parish Committee in all its functions. Its reports deal with all matters which affected the interests of the ratepayers, whether connected with the churches or with the business of local government. Questions of public health were not neglected. The nuisance of smoke was vigorously suppressed.[1] Cellar dwellings were whitewashed by the paupers.[2] The advantages of vaccination were impressed upon the parishioners.[3] The grant to the dispensary was continued, and similar grants were made to the Infirmary and the Northern Hospital.[4] A Board of Health was established to cope with the cholera.[5] The collection of the King's taxes and the parish rates was consolidated.[6] The Select Vestry, on behalf of the parish, watched the course of events in Parliament, and promoted and opposed legislation. They fought the excessive charges of the Corporation Water Bill.[7] They opposed the intended repeal of the

[1] Reports of 25th October 1821 and 25th October 1826.
[2] Reports of 25th October 1821, and to Annual Vestry, 1829.
[3] Report to Annual Vestry, 1823.
[4] Minutes of Annual Vestry, 1831, 1834.
[5] Minutes of Special Vestries, 2nd February 1832, 17th February 1832; *Mercury*, 3rd and 24th February 1832. This was violently opposed by the cottage owners.
[6] Minutes of Vestry, 3rd May 1822; Reports of 25th October 1822, 25th October 1823; and to Annual Vestry, 1827.
[7] Minutes of Vestry, 29th May 1822; Report to Annual Vestry, 1823.

Dog Tax, which the parishioners desired to enforce "with a view to lessening the Number of useless Dogs which infest the public Streets."[1] They helped the Corporation to establish the first fire-police, and at last provided adequate means for the prevention of fires.[2]

One department alone was free from the control of the Select Vestry. After their quarrel with the Corporation about the paving of the highways, the parishioners had continued to execute such repairs as the demands of commerce and industry could induce them to undertake. But the work was very poor, and Liverpool had the reputation of possessing the worst streets in the kingdom. In 1826 a special highway authority was at last constituted. Twenty surveyors of highways were elected, and were recommended to the Justices for appointment. These surveyors seem to have escaped the interference of the Select Vestry, in spite of the fact that they were always subject to the control of the Open Vestry. More attention was paid to the forms of law in connection with them than in any other part of the parish business. The existence of the Justices is ignored throughout the history of the Open Vestry and the Parish Committee, and their control must have been purely nominal. They are not mentioned a score of times in the records of 140 years. But in dealing with the accounts of the surveyors of highways the Vestry was always careful to order that they should be laid before a Justice of the Peace, and that an application should be made to the Justices to fix a rate.[3]

It was not long before the parish and the Corporation again came into conflict over the state of

[1] Minutes of Annual Vestry, 1823.
[2] Minutes of Vestry, 8th December 1825 ; Report of Special Committee, 26th January 1826.
[3] Minutes of Vestry, 5th October 1827.

the pavement. A Special Vestry met on the 1st October 1829 "to take into consideration the subject of the present sewerage of the town and the expediency of applying to Parliament for an Act for its better sewerage." Negotiations with the Corporation were begun, but a dispute soon arose about the liability of the Corporation estate. The Corporation eventually threatened to introduce a Bill, and the Vestry voted £500 out of the church rate to defray the expenses of opposing it. The opposition failed, and the Bill was carried into law. It established a board of twenty-four commissioners for paving and sewering, and the first election ended in the appointment of nine common councillors and fifteen ratepayers.[1] This board, like the surveyors of highways, was not subject to any control by the Select Vestry.

The general policy of the Select Vestry has already been indicated. The report of the Assistant Commissioner of 1832[2] describes in some detail the condition of things at that date, and supplements the regular reports of the Select Vestry itself. The Select Vestry was divided into five boards or committees. One of these sat on each week day except Tuesday, and was assisted by the secretary. The name and address of every applicant were written on a card, which was given to the paid visitor. The visitor made a report to the Vestry, and, after a second examination of the applicant, relief was granted if necessary. It was only in exceptional cases that a few shillings were given on the first application. In cases of temporary distress the pauper was re-

[1] Minutes of Vestry, 15th October 1829, 7th January 1830, 24th June 1830.

[2] Mr. G. Henderson. His report is printed in Appendix A to the Report of the Poor Law Commissioners, Part I., p. 912A *et seq.*

quired to appear before the Board once a week, and a medical certificate proving sickness was the only excuse which was admitted. If the vestrymen were satisfied that the man was not honestly trying to get work, his relief was stopped altogether. More serious cases demanded other remedies. Cards were given for a period of three or six months, and in cases of permanent incapacity for work, the revision was made at intervals of a year.

Special attention was still paid to the Irish. These wretched people, displaying all the signs of abject poverty, besieged the parish offices, and clamoured for the amount of their passage money for Dublin. Many of them were in better condition than they seemed, and resorted to all sorts of tricks to arouse the sympathy of the vestrymen. Some sent their wives and children, others left their clothes and money in the hands of a friend, and presented themselves covered with rags and dirt; others hid their money in their stockings. The Vestry always refused relief to the young and healthy, and generally to all whom they suspected of deceit. By this means some imposition was avoided, but those who were sufficiently regular in their attendance, and sufficiently careful to appear ill-clothed and ill-fed, must constantly have eluded the vigilance of the Board. The numbers showed no signs of slackening, and in the year 1832–33 no less than 2975 Irish were sent over to Dublin.

Inside the workhouse the Select Vestry found their greatest difficulties in the separation of the sexes and the classification of the various kinds of paupers. The first object had been secured in some measure shortly after the appointment of Mr. Hardman in 1804. Married couples lived in small houses separate from the main building, and care was taken to allot rooms in the same houses to people of congenial dispositions. But the separation of the adults

from the children, of the criminal from the unfortunate, of the prostitutes from the respectable women, required more space than the Vestry could command.[1] In this respect the Liverpool workhouse was no worse, and probably much better, than nine out of every ten in the kingdom.

The policy of requiring work from the inmates was maintained. All above 80 years of age were exempt; all under that age were employed except in time of sickness. Henderson's report shows clearly enough the beneficial results of this system. Out of 1600 paupers, only 20 were able-bodied men. More than one-third were less than 15 years old. An even greater proportion were above 50. Only 377 were between the ages of 15 and 50. Those unable to work from sickness or infirmity numbered 437, and 430 children were too young to be employed. These children were, as a rule, the offspring of paupers. But the workhouse was to some extent a technical school. The children of poor persons living in the town were frequently admitted to the workhouse for the purpose of instruction in some trade. At first they received 1s. a week. When they attained a certain proficiency this was raised to 1s. 6d., and after two years' instruction they received in addition the ordinary diet of the workhouse. The study of the various reports and of the comparative tables of expenditure shows that, with the exception of a few errors of judgment, the history of the Select Vestry, as far as concerns poor relief, is almost entirely creditable.[2]

The ill-feeling which was created by the attempt to rate cottage property led to an attempt to replace

[1] See the Reports of the Select Vestry to the Annual Vestry, 1824, 1825, 1831, 1832, 1835; and Henderson's Report, *supra*.

[2] A comparative table of expenditure is given by Mr. Henderson. Another has been discovered in the remains of one of the old account books in the parish offices.

the Select Vestry by a board elected under Hobhouse's Act of 1832.[1] But many of the votes recorded in favour of the adoption of the Act were bad, and the Select Vestry, after a careful scrutiny, decided that a clear majority of the parishioners had not voted for it.[2] The usual accusation of fraud was made against the Vestry, but their statements satisfied all but the owners of cottages, and may be reasonably accepted by the historian. The end of this dispute was the end of the troubles of the Select Vestry, and the last few years of their career were years of calm and steady progress. The series of reports which have been preserved shows the multitude of their activities and the wisdom of their policy. Their administration of the Poor Law received the rare and valuable praise of the Commissioners. Their maintenance of the rights of the parishioners against the claims of monopolies, their suppression of public nuisances, their increasing warfare against disease, and their resolute determination to secure purity and economy in the conduct of public business, deserve the praise of the historian. It is probable that in the case of Liverpool the municipal reforms of the great Whig Government might have been omitted without danger to the public. The Parliamentary electors were among the worst in the kingdom. But if democracy has seldom been more venal, oligarchy has seldom been less corrupt. Few townships of that day could point to a more blameless history. Few could claim that the government both of the town and of the parish displayed such a lively spirit of enterprise and such an enlightened sense of public duty. The Municipal Corporations Act and the Poor Law Amendment Act laid broader and deeper foundations for the edifice of local government.

[1] This provided for election by single votes.
[2] Report to Annual Vestry, 1833.

The growth of commerce and industry provided inexhaustible sources of revenue. But though the successors of the ancient authorities have frequently outdone them in the magnitude of their public works, they can never hope to surpass them in the spirit with which those works were conceived and executed.

LIVERPOOL DURING THE CIVIL WAR

By Miss E. M. Platt, M.A.

Read 4th March 1909

IN January 1642 Charles I. left London to make preparations for the war which, it was clear, was inevitable, and in every county the partisans of both the King and the Parliament began to bestir themselves. When the Parliament took into its own hands the nomination of the Lord-Lieutenants and Deputy-Lieutenants of the counties, it dismissed from the Lord-Lieutenancy of Lancashire James, Lord Strange, afterwards Earl of Derby, and nominated Lord Wharton to the vacant post. Several Deputy-Lieutenants were also appointed, among whom were Mr. John Moore of Bank Hall, Kirkdale, and the Old Hall, Liverpool, a staunch Parliamentarian and a future regicide. Lord Wharton also appointed as colonels of regiments several gentlemen of the county who sided with Parliament, among whom were John Moore, Ralph Assheton of Middleton, who led the forces which besieged Liverpool in 1643, and Thomas Birch, afterwards Governor of Liverpool. Lord Strange, however, still continued to act as Lord-Lieutenant in the King's interests. The county was divided between the two parties. The Hundreds of Blackburn and Salford, with the towns of Manchester, Bolton, and Blackburn, were on the side of the Parliament, but the Hundreds of West Derby, Leyland, Amounderness, and Lonsdale were in the main Royalist.

The gentry of the county were also divided, and although the larger number, including great nobles like the Earl of Derby and Lord Molyneux, and gentlemen of great influence like Sir Thomas Tyldesley, were ardent adherents of the King, yet the Parliamentarians numbered in their ranks Sir Thomas Stanley of Bickerstaff, Ralph Assheton of Middleton, and the Shuttleworths of Gawthorpe. Both parties endeavoured to obtain possession of the fortified places of Lancashire, particularly towns like Preston, Wigan, Manchester, and Warrington, where stores of ammunition had been collected; the Royalists, chiefly owing to Lord Strange's vigorous action, secured Warrington, Wigan, and Preston, but the Parliamentarians occupied Manchester. In Liverpool the majority of the townsmen were Puritan, and therefore inclined to Parliament, but the Mayor, Mr. John Walker, and the majority in the Council were Royalist; and acting in conjunction with the heads of the two great neighbouring families of Stanley and Molyneux, the Mayor did his best to put Liverpool into a state of defence. Earthworks were thrown up around the town and a ditch dug; Colonel Norres of Speke became the Royalist governor of the castle, and large supplies were thrown into it. But on the whole the Royalists made little use of their year's occupation of the castle and town. The first few months of the war went badly for the Royalists in Lancashire. In September 1642 Lord Derby was repulsed in an attack on Manchester; in February 1643 the Parliamentarians captured Preston and Lancaster; and although Lord Derby recaptured and burnt the town of Lancaster, he was compelled to leave the castle in Parliamentarian hands. He did indeed recapture Preston, but in April the Royalists lost Wigan, and Lord Derby, after being defeated at Whalley, withdrew to the Isle of

Man. Towards the end of April Colonel Assheton marched into Derby Hundred, and the Royalists under Colonel Tyldesley fell back on Liverpool, which was still garrisoned for the King. From about June 1642 to April 1643, then, Liverpool was a Royalist garrison under Colonel Norres, but it is remarkable that in the Town Books, or Municipal Records, there is hardly a hint of this fact. A suggestion of civil strife in the town is found in a presentment of the portmote of Jan. 10, 1642 :—

"We present Mr. John Mannwarring for abuseing Mr. Maior and the Balliues goeing upon the King's service."

But on the whole the town seems to have paid as yet little attention to the Civil War. More remarkable still is the fact that no mention at all is made of the siege of Liverpool by Colonel Assheton, the defeat of Colonel Tyldesley, and the surrender of the town to the Parliamentarians after a loss of 80 killed and 300 prisoners. The capture of Liverpool by the Parliamentarians was important, for not only would its garrison act as a check on the Royalist gentry of that part of the county, and form a base for the attack on Lathom House, which was still in Royalist hands, but it was also the only port on the west coast of England which was in the Parliamentarian power, and from it cruisers could be fitted out to interrupt the Royalist communications with Ireland. Liverpool thus fell to the Parliamentarians; a military governor was appointed, at first Lieutenant-Colonel Venables, but later, on the petition of the townsmen early in 1644, Colonel John Moore. The effect of the Parliamentarian occupation and of the Puritan supremacy was soon seen both in religious and civil matters. Under the date 23rd November 1643 there is an entry :—

"Upon Informacon that the Towne of Liver-

poole hath not anie competent maintenance for y^e^ Ministrie at their Church or Chapell ther it being a M^r^ket Towne & of great resort, a Garrison Towne and the Cheeffe Port of theise parts, the Inhabitants manie and well affected It is therefore thought fit and soe ordered that twoe able and Orthodox Ministers be provyded to officiate ther and shall haue out of the sequestracons of the tythes of Walton Parish an hundreth pounds a yeare to be divyded betweene them by the Maior and the Comon Councell of Liverpoole as they shall see cause And this stypend to be allowed by the Agents for y^e^ Sequestracons for that division.

"T. Stanley
Raphe Asheton
Richard Hollande
John Moore
Robte Hyde
Tho Birche."

And at a later Assembly held on January 28, 1644, the two ministers were appointed, viz. Mr. Joseph Tompson and Mr. David Ellison. The Puritan element is also to be seen in an order of the same date, January 28, 1644 :—

"It is alsoe Ordered that all such household^r^s or other persons as shall neglect the strict observeing of Sundays and ffast dayes, and shall not frequent the Church but either Loyter or stay abroade drinking or shalbe disordered and taken in anie misdemeno^r^s shalbe severely punished and shall forfaite for everie offence 40^s^."

During this period of the Parliamentary occupation, military discipline was rigidly enforced. Under March 25, 1644, an entry runs :—

"Whereas divers of the Inhabitn^ts^ of this Towne have refused and contemptiousley neglected contrarie to divers Orders to appeare w^th^ their best

Armes att y^e^ beating of the drume, these are therefore to give publicke notice & warninge to all psons whatsoever inhabittinge w^th^in this Garreson, heartofore appoynted for y^e^ observing of y^e^ watch w^th^in y^e^ same; That if they or any of them shall hearafter refuse or neglect to appeare at the beatinge of y^e^ Drume for y^e^ settinge of y^e^ watch w^th^in this Garrison, or for y^e^ pforminge of other duties w^th^in y^e^ same or any pson whatsoever sett upon his watch or Guard shall come of the same or neglect his duties therein, till he be thence called and Releeved by an officer, shall for everie such offence pay to the use of his fellow soldiers y^e^ some of xij^d^ or lie in Prison in y^e^ towne hall untill he have paid the same."

The authority of the Governor overrode that of the town authorities, although they are constantly found acting together; but it may be suspected that the Mayor and Council were overawed by the military officers. It was of course important in a garrison town that there should be no traitors within, and under the date December 3, 1643, an entry runs:—

"It is Ordered that the Balliues and the Seriant and some others of the Governors officers are to goe through the Towne and make inquirie & take notice of all strangers and other Lodgers that such as are not faithful and trustie to the service of the King and Parliam^t^ may be expulsed and Removed forth of The Towne w^th^ all speed possible, in respect of the p^r^sent dangers."

And again on December 21, 1643:—

"Whereas it apears that divers Papists & other ill affected psons as Malign^ts^ and such as have borne Armes against the Parliam^t^ or theire wives and Children are as yet inhabittinge and remaine w^th^in this Towne of Liverpoole, who are suspected to give Intelligence and to doe other ill offices

there It is therefore Ordered by the now Maior, the Governor, Ald., and the rest of the Comon Councell of the same Towne, that all such Papists & Malign^{ts} except such as are Pryson^{rs} as alsoe theire wives Children & families shall wthin xiiii^{teen} days after notice hereof dept and Remove out of the said Towne upon payne to be plundered and deprived of all their goods & ꝑsonall Estate whatsover."

And, again, a similar order was enacted on January 1, 1644 :—

"It is Ordered that all such Malign^{ts} & Papists as are appoynted to be speedely put out of the Towne & none to receive anie strang^{rs} into their howses to inhabit or stay wthout licence of the Maior & Governor."

In May 1644 Prince Rupert set out from Shrewsbury for the north with the purpose of relieving the Marquis of Newcastle, who was hemmed in at York by the armies of Fairfax, Cromwell, and the Scots, and, on the way, of relieving Lathom House, where the Countess of Derby held out, and of recapturing Liverpool. He swept up north, stormed Bolton, and on June 7th appeared before Liverpool, and on June 12th or 13th the town was stormed. Of this siege, again, there is no direct mention, only echoes in the Town Books. At the Great Portmote held January 13, 1645, there are two entries :—

"We finde that a great company of o^{r} Inhabitants were Murthered and slaine by Prince Ruperts fforces the names of the Murtherers we cannot as yet be c'tified of any of them or their names."

and

"Ordered that the dead Bodies of o^{r} Murthered neighbours buried out of Towne shall be better covered betwixt this & the second of ffebruary next, and for y^{e} effecting thereof We ord^{r} that the Balliues or any other officer giveing notice or warn-

ing to any house shall send one thither w^th^ a spade or wiskett for y^e^ covering of them as afforesaid."

During the siege Colonel Moore, the Governor, having come to the conclusion that the town was not defensible, had embarked with the greater part of the garrison on the ships lying in the Pool, without giving any notice to the Burgesses. The town found it difficult to forgive Moore's desertion, and he never regained his old position in Liverpool. A long entry under the date March 5, 1645, refers partly to Moore's action and partly to the application which the town had made to Parliament for relief and assistance owing to its sufferings :—

" fforasmuch as the p^r^sent state and Condicon of this Towne doth require That some speedie Course be taken as well for the Repairing of the losses and sufferings of the Inhabitan^ts^ thereof by the Crueltie of the Princes Army lately p^r^vailing there, as alsoe for the better secureing of the said Towne for the tyme to come, It is Ord^rd^ That Mr Willm Langton Record^r^ shall accompanie Mr Maior to London and there solizit on y^e^ behalfe of y^e^ said Towne according to the insuing instruccons vizt to procure Releefe (if it be possible) for poore widdoes & fatherless Children that had their husbands and fathers slaine, and goods plundered and others in the Towne who are in distresse & want."

" 2 to ꝑcure that the manner of the looseing or rather the giveing up of the Towne to the Enemie may be fullie tryed and Examed that soe it may apeare in whose neglect or defalt it was that soe much innocent Blood was spilt, when there was possibilitie of Resistance or anie tearms of quarter wold have beene granted."

" 3 to ꝑcure that some course be taken to secure the Towne from the power of the Enemy hearafter, it being of great conc'nm^t^ to y^e^ Countrie, and not as yet in any good posture of defence for want of Pro-

vision men and moneys to supply the same in case of danger.

"4 to obtaine an Ord[r] for the incloseing and improveing of the Comons and wast grounds w[th]in the Towns liȶties for the good of the Corporacon And that the Millnes and fferrie Botes formerly belonging to the Towne and iniuriouslie taken and kept from them by the Lord Mollineux may be restored to the corporacon as formerly."

"5 to agitat the business for the Rebells Goods claimed by the Manchester men."

"Ordered that xx[li] shall be procured and taken vp att interest for the supplie of the Towns affairs, and the fortie of the Councell shall secure them that shall stand ingaged."

"The Ballives are required to make demand to the Coll. of the Townes Armes that were lost."

The final attack on the town on June 12th or 13th had been led by Caryl, brother of Lord Molyneux, and an entry, dated May 8, 1646, runs:—

"resolved that M[r] Bicksteth shall continue yet at London to attend the Lord Mollineux his composicon and to ꝑcure o[r] priviledges excepted, and o[r] late Ordinance enacted and confirmed in regard of the cruelties acted heere by him & his brother and rather than faile to take it as part of o[r] Losses."

The Royalists, however, only held the town for three months, for in September 1644 it was recaptured by the Parliamentarians under Sir John Meldrum. It settled down once again as a Parliamentary garrison town, and the new regime is obvious from the admission, in October 1644, to the freedom of the town of a large number of officers *gratis*, among them being Richard Holland, Colonel, who was admitted "liber Burgens huius Burgi per consens Maioris Ald[o] &c eiusdem Burg in the Townfeild during the Leagar"—an entry I confess I do not properly understand. Also the Mayor

elected on October 18, 1644, was John Holcroft, Esq., who is described as "Collonel of a Regim^t^ and one of the Deputie Lievetenn^ts^ of this Countie & of the Committee in the same Countie." It is impossible to restrain a smile in reading, under the date January 16, 1644, the list of the "Comon Councell of Liverpoole," opening as it does with the names :—

"Joñes Holcrofte Ar Maior
p^r^ nob^lis^ Jacobus Comes Derby
Thomas Stanley Barr'
Joñes Moore Ar Coll'ec'"

There are several entries during the years 1644 onwards relating to the fortifications and the Castle, of which the following is a specimen :—

At an Assembly held December 20, 1644, "before John Holcroftt Ar Maior and Collonell John Moore Govern^r^ of this Towne of Liverpoole and the Aldermen & the most part of the Comon Councell there; It was ordered that for the p^r^sent the Gates now att Laur Mercers howse end shold be removed and set in the worke at the Tyth Barne street end."

The Puritanical rule of the town is shown in presentments like the following, dated June 25, 1647 :—

"Wee p^r^sent Jane Gerrard for not comeing to y^e^ church for y^e^ last moneth past."

It is clear that military garrison and discipline was maintained, and in the Portmote of January 12, 1646, Thomas Preeson was presented "for refuseing to be Capt of y^e^ watch being commanded by M^r^ Maior & for refuseing to apeare before him being comanded upon his oath amc in the sume of v^li^."

Again, on August 28, 1646, there is an entry :—"Thomas Morecrofte de Orm^k^ Mariscall of this Garrison vnd^r^ Governor Ashurst admissz est liber Burgens ꝑconsensi Maior Ald &c;" and in September 1649: "Thomas Jur gratis

Birch of Birch in Com Lanc Armig^r^ Collonell & Gov^r^no^r^ of the Burrow Admitted & sworne a ffree burgesse of this Burrow by Consent of the Maior Ald & Comon Councell and afterwards xj^t^ 7^br^ ellected Burges for y^e^ parliament^t^ for this Towne after y^e^ death of S^r^ Ric Winne."

Again, on April 30, 1647, it is entered :—

"Agreed that M^r^ Maior And y^e^ Ald shall treate w^th^ the Governor ab^t^ y^e^ Setlem^t^ of this Garrison first that one Companie of y^e^ Townesmen may be employed and to haue pay as others have 2 that the Castle may be repaired and fortified and y^e^ works slaighted 3 that y^e^ Soldiers may pay 3^d^ per meale or quarter them selves.

"Memd it is Ordered and agreed by this Assembly that M^r^ Willm Willmson shall next week goe to London to solizit the Townes business and shall haue all Charges borne 1 to prevent the comeing in of 600^rd^ Soldiers to be Garrisoned here and to get y^e^ works slaighted and y^e^ Garrison to be ordred to be kept in y^e^ Castle wh^ch^ if repaired may be manned with 200^rd^ men 2^ly^ to ꝑcure o^r^ Peticon read in y^e^ house & to move to haue the same settled & confirmed accordingly."

It is quite evident from these entries that the relations between the townsmen and soldiers forming the garrison were at times strained, and another entry, dated June 29, 1647, is even more illuminating :—

"Memd P'pounded by the Governor concerning the distracions betwixt the Armie &c and other ꝑticulers at this assembly whervnto answere was made That it is the desire of M^r^ Maior y^e^ Ald^r^men and Comon Councell of this Towne that in all things their may be a free & faire complyance betwixt the Townesmen and y^e^ Soldiers and for all busines conc^r^ning the Militia and Soldierie they referr all to y^e^ discresion of y^e^ Govern^r^ and withall

doe hold it fit and ord^r^ that the Townesmen from tyme to tyme according to M^r^ Maiors direccon shall ioyne w^th^ the Soldiers in keeping watch."

On October 18, 1647, it was ordered in the Great Portmote "that the Townesmen togather with the soldiers shall wach everie day theire turne vpon warning to them given in their owne ꝑsons, and if anie being able shall neglect or refuse to ꝑforme the same accordingly they are to forfait v^s^ for everie default at y^e^ discresion of y^e^ Maior."

On August 1, 1646, an important entry was made which must be read in connection with the disputes that had long existed between the Corporation and Lord Molyneux about the mills and ferry boat :—

"Whereas a Wyndmillne and fferrie boats formerly belonging to the Corporacon of Liverpoole were lately in y^e^ possession of Richard Lord Mollyneux who is in hostility against the Parliam^t^ and by his power w^th^ y^e^ Lord Cottington (late Master of the Court of Wards and Liveries) brought a vexatious suite against the said Corporacon to theire great damage & impoverishment; And whereas all the wrytings and auncient Records belonging to y^e^ said Corporacon were taken away when that Towne was taken by the Enemy Considering the exceedinge great losses and sufferings of that said Towne and to the end that the Auncient rights of the said Corporacon may be restored and those priviledges whereof they are and have long beene in possession may be continued and remaine inviolable; The Lords and Comons assembled in Parliam^t^ doe order and ordayne And be it ordred and ordayned That the said Corporacon shall have hold and enioye the said Wynd Milne and fferry Boats and the Rent of xx^li^ ꝑ Ann formerly paid by the said Corporacon to the said Lord Molyneux till both Howses take further ord^r^; And its hearby further ordered and ordained That all other the Rights

powers Priviledges Lyberties and ffranchisem^ts^ whatsoever contayned in the Charters of the said Corporacon shall be and continue to y^e^ said Corporacon saveing to the Kings Ma^tie^ his heires & Successors and all other person and ꝑsons bodies Pollitique & Corporate (other than y^e^ said Lord Mollyneux and his heires) all theire Rights Tolles and interests whatsoever."

The town obtained as part compensation for its injuries received in the Parliamentary interests a grant of timber; and on September 17, 1645, it is written in the Town Books:—

"Ordered that 500 Tuns of Tymber be allowed unto the Towne of Liverpoole for rebuilding the said Towne in a great ꝑte destroyed and burnt downe by the Enemie, And that the said 500 Tuns be felled in the Grounds and Woods of James Earle of Derby, Richard Lord Mollyneux Willm Norris Robert Blundell Robt Mollyneux Charles Gerrard and Edward Scarisbricke Esq^rs^ And that it be referred to y^e^ Comittee for Lanc^r^ that are members of this Howse to take ord^r^ for the due & orderly felling the said Tymber and for apporcen-inge the Quanteties to be allowed to the ꝑsons y^t^ suffered by the burninge of the said Towne for y^e^ rebuilding thereof."

The sequel to the orders is found on another page under the date September 7:—

"Whereas it is conceaved necessarie that a Solzito^r^ shalbe apoynted to goe vp to London on the behalfe of the Towne now in regard that Lord Mollineux is ab^t^ his Composicon and to put in excepcons against him concerning o^r^ liꝺties & priviledges granted to this Towne by o^r^ Late Ordinance of Parliam^t^ that hee may not compound for Liv^r^poole Alsoe to ꝑfect the ord^r^ for y^e^ 500 Tunnes of Timb^r^ allotted to this Towne for y^e^ effecting whereof M^r^ Chambers is made choyce

of to goe vp at the Townes charge ab^{t} these occasions."

Echoes of the late war and a remembrance of the large standing army maintained by the Parliament are found in the following entry (November 1, 1647):—

"Memd that vpon the Comeing in of a Regim^{t} of horse belonging to the Parliam^{ts} Army vnd^{r} the Comand of S^{r} Thomas ffarefax, Ordered by the Comitee to be quartered in this Countie porconably, whereof 2 men & their horses and the 3rd ꝑte of another were allotted to this Towne they demanding 15^{s} ꝑ Week for everie horse and man or els Quarters in kynd to be assigned them according to Ord^{r}s Vpon consideracon had by this assembly it was resolved that they should have Quarters within the Towne at the several Innes from house to house weekly by turne at the appoyntm^{t} of the Ballives and they to be content with such allowance as is duly allotted them, Wh^{ch} the Ballives are to see paid and discharged accordingly after y^{e} rate of xj^{s} xiij^{d} ꝑ Week; and it is alsoe agreed that they shall haue noe allowance at all in moneys for their quarters when they are or shalbe absent except they shew good warrant for it, and noe one house or Inns to be more burthened than another.

"It is alsoe agreed that a Ley or Taxacon of xij^{li} be imposed upon the Towne for payeing of the Quarterage of the horse and towards the dischargeing of the Monethly tax and for nonpaym^{t} the Ballives are to distrain & and restore y^{e} overplus ec^{r}.

"Ordered that a letter and Peticon be drawne to be eased of these burdens of quarterage & paying Taxacons with the rest of the Country and the reasons of o^{r} sufferings to be alledged w^{ch} was done accordingly but noe releefe granted."

The rather pathetic statement of "no relief

granted" is confirmed by the records, for in June 1648 two warrants are named for a ley or tax, towards which Liverpool had to pay £13, 6s. 8d. and £11 respectively.

The town remained very eager to be freed from the burden of the garrison, which no doubt pressed hard on a small and poor community, and an entry dated July 28, 1648, runs:—

"Alsoe the Peticon againe for demolishing the works and disgarrisoning the Towne to be drawne vp and a letter to Mr Ashurst to further the same, and to Mr Bicksteth to Coll. Moore and the Comittee of the militia of Lancashire for the same purpose; and Mr John Winstanley is to goe about the Solizitance of it and to have his Charges borne.

"Ordered that a peticon shalbe drawen to this effect that the Comittee wold be pleased to tak speedie course that this Towne may be soe victualled manned and fortified as to make it secure and tenable and constant meanes allowed from the publick to maintaine it without being prejudiciall to ye inhabitants or to certifie with vs that the works may be slaighted."

The entries at first sight seem a little contradictory, but in reality they are not. What the town wanted was the reduction of the garrison to such a number as could be housed in the Castle without the necessity of any of the soldiers being quartered on the private houses; or the demolition of all the works and the entire disgarrisoning of the town; or, that if the garrison were maintained, it should be effectual to preserve the town in safety. Either the town must not be a garrison town, which the burgesses would have preferred, or it must be an efficient garrison town. The works above all, however, were felt to be an evil, for they interfered with the town, and on November 29, 1648, it was resolved:—

"Whereas the Inhabitants of this Towne are much dampnified by reason of the Works It is therefore Ordred that y^e^ Peticon concerning the sleighting of them shalbe ꝑceeded in and solizited by M^r^ John Winstanley who is to attend the Comitte for that purpose and is to have his Charges borne & allowed by the Towne."

Again, at an Assembly held September 2, 1689, "was red the Copie of a letter for [from] y^e^ Lord President of the Councell of State vnto the Governo^r^ concerning the slaighting of the works and fortificacons and contracting the Garrison into the Castle, w^ch^ being much desired by the Towne It is therefore thought fitt and soe ordred that M^r^ Maior shall goe vp to London and accompanie Coll Birch the Gov^r^nor ab^t^ the same busines and endev^r^ to gett the same effected for y^e^ good of the Towne and shall have all Charges borne."

On November 29, 1650, there is an entry: "The lyke Peticon concerning the demolishing of o^r^ works w^ch^ are soe much p^r^iudiciall to y^e^ Town but suspended vntil y^e^ Govner shold come home."

Henceforth nothing is heard of the works, and perhaps they were demolished; but on October 7, 1659, it was "Ordred that Coll Birch be moved to retorne speedily to London to the exersice of his trust as Burgess for the Parliam^t^, and that hee be moved to cause the walls of the Castle to be demolished, and the Trench filled vp according to votes and ord^r^ of Parliament."

The town was not satisfied with the compensation it had received from Parliament for its losses; true it had been granted a sum of £20 for the widows and children of those slain in Prince Rupert's assault, also 500 tons of timber and lead from Lathom House; but it was not satisfied, and with the obstinacy and stolidity so characteristic of Dicky Sams of earlier days, it prosecuted its claims

and persecuted Parliament. Mr Bicksteth was sent up to London to effect the town's business and remained there for many months at the town's charges, and on May 25, 1649, we find the economical burgesses actually sending him a further sum of £10. At last his efforts, or those of others, were successful; and a long entry refers to a grant which must have filled the burgesses' hearts with joy. It begins with a copy of the Petition to Parliament which is frequently mentioned:—

"To the right hon^ble^ the howse of Comons in Parliam^t^ assembled.

"The humble Peticon of the Maior Ald and the rest of the Towne of Liupoole sheweth that the Towne of Liverpoole was for a long tyme the only Port within the Power of the Parliam^t^ in that pte of the Kingdome. And it being then of that concernm^t^ both to England and Ireland yo^r^ Peticoners who haue alwais beene well affected to the Parliam^t^ and Kingdom did not only contribute their money and labour but for the better strengthining and secureing of it for the Parliam^t^ suffered many of their howses and outhowses to be pulled downe and their Gardens and their Orchards to be digged up in the ffortificacons to the great impoverishing of very many of the Inhabitants of the said Towne.

"That the most pte of the said Towne who were able Bodies did take vp Armes for the Parliam^t^ and did together with the Souldiers of the said Garrison often repulse the fforces of the Enemy when it was beseidged and often assaulted by Prince Rupts fforces.

"That in y^e^ Seidge very much of y^r^ Peticoners Corne Cattell Beere and other pvisions were taken and seized on by the Governor Coll Moore for y^e^ vse of y^e^ Garrison and yo^r^ Peticoners would not suffer onie of y^e^ Inhabitants of the said Towne to Ship away the rest of their Goods lest y^e^ Souldiers

sh^d thereby haue beene discourraged Wherevpon when y^e said Towne was at last taken without anie Condicon very many of y^e Inhabitants of y^e said Towne were killed all their Goods plundered and spoyled and many of their howses pulled down and burned whereby the said Inhabitants are vtterly undonne unles they be releved by this hon^ble howse.

"May it therefore please yo^r hono^rs to take y^e p^rmisses into serious Consideracon and to Order such satisfaccon for their Goods soe seized and taken for y^e vse of y^e said Garrison and their howses pulled downe and burned And alsoe for their great sufferings and losses as in yo^r wisdoms yo^u shall think fit and yo^r pet^rs shall ever pray etc."

"die veneris xxviij^t of January 1648 [1649]

"The humble Peticon of y^e Maior Ald^rmen and y^e rest of y^e Towne of Liv^rpoole was this day red and ordered by pticularly referred to the Consideracon of the Committee for destroyed howses where M^r Dodrige hath y^e Chaire to Consider of their Losses and how some satisfaccon and redresse may be given them

. . . . . .

12° May 1648 [evidently should be 1649]

"Resolved vpon the Question.

"Then ten thousand pounds bee allotted for satisfaccon of y^e losses of the Towne of Liverpoole in the Countie of Lancast^r out of S^r willm Gerrard of y^e Brinne M^r Blundell of Crosbie M^r Chorley of Chorley M^r ffazakerley of Walton and M^r Scarsbrick of Scarsbricks Estates Papists in Armes and whose Estates are not otherwise disposed of and were at Liverpoole at y^e takeing of it and were Comissioners of Array and Collonells and Captaines for y^e King."

After this grant the economical burgesses determined that it was time "M^r Thomas Bicksteth

Aldarman" who was still in London at the town's charges, should come home, and on January 25, 1650, he was ordered to return home and send in an account of his expenses and "Ingadgm^{ts}," which amounted to £90.

The £10,000, however, was as yet only a grant, not a fact; and at an assembly held November 22, 1652, "a letter from Collonell Birch the Governor was read whereby it appeares that the 10,000^{li} to be allowed by the Parliam^{ts} ord^{r} for repaire of the Losses and plund^{r} of this Towne forth of certaine delinquents Estates is now to be allowed forth of the Lands in Ireland w^{ch} caused a letter to be written y^{t} y^{e} allottm^{t} might be as neere Dubline as possible." From this time for the next ten years a large part of the Records consists of accounts of attempts to make good and realise this grant of lands. Mr. John Winstanley, the Town Clerk, went over to Dublin at least three times, at the town's charges, to try to get the matter settled; at last, in November 1658, the Council determined that Winstanley and others whom he should choose should have a grant of one half of these lands, when obtained, for a nominal rent of 20s., on condition that he at his own charges should push the matter forward. The locale of the grant, however, had been changed to Galway, for on September 2, 1658, Henry Corless and Thomas Sandiford were ordered to go to Galway, and there "enter vpon all the howses Lands Tennem^{ts} hereditm^{ts} and p^{r}misses given and now belongeing to this town . . . and take full and actuall possession and seizin." On December 20, 1658, it was decided no division of the lands in Ireland should be made with the undertakers till the town was "invested in the full and peaceable possession of the whole p^{r}misses."

In January 1659 it was ordered that "Capt. James Browne shalbe accomptable to the Towne for

all ye last moneys y^t^ hee rec^d^ for Rents at Galway, and that hee shall resygne the possession of the howses there to the Maior and Bailives w^ch^ he took & rec^d^ in July 1658 as Agent for this Towne & leave it to the Corporation." It is quite clear, then, that the Town had received certain lands and houses in Galway, and that rents were paid to them for these houses, and on December 19, 1659, it was ordered that letters should be written to Galway expressing the willingness of the Corporation and of the persons interested, viz. Mr. John Winstanley, his son, and Captain Brown and his partners, to sell or let the houses before any division was made. On February 16, 1660, it was agreed that Thomas Sandiford, merchant, on behalf of the Corporation and the three undertakers, should sell or lease all the lands, houses, &c., in Galway, the profit to be divided equally between the Corporation and the undertakers. The town, after the Restoration, began to be apprehensive that the grant might be revoked, or was weary of the whole business; and at an Assembly held October 30, 1660, it was arranged that the two M.P.'s, William Stanley and Gilbert Ireland of Hutt, and Captain Brown and John Winstanley, should sell "all the Townes Interest in Ireland." The Corporation, however, do not seem to have been satisfied with Captain Brown's accounts and proceedings generally, for in December 1661 and June 1662 they decided that he must be called to account for the moneys received by him and his other transactions on behalf of the Corporation. It is to be presumed, therefore, that the Corporation and the undertakers managed to sell their lands, houses, &c., but I confess I do not feel at all sure about it, and there is no record of any moneys received from rents or sales of these lands in Galway. I should like to know the connection between these transactions and an order dated November 10, 1662:

" Ordered by the Com^rs^ for the well Governing & regulating of Corporac̃ons in the County Palatine of Lanc^r^ That John Winstanley be removed from being Town Clerke or Comon Councell man And that William Blundell of Liverpoole Be declared Towne Clerke in his place, the Com^rs^ vnanimously deeming it expedient for y^e^ publique safty and encouragm^t^ of Loyalty." What had happened? Did the town consider that Mr. Winstanley or his partner had been guilty of a shady transaction? The affair of these Irish lands is one that needs further elucidation. There may be more evidence at Galway which awaits investigation. On the whole the Town Books are interesting during the period of the Civil War, not so much for what they say, which is little, as for what they omit to say. It is curious to find that while the fate of the country hung in the balance, the burgesses are more engrossed in a town bargain, or in a matter of unringed swine, than in the national affairs. The great events of the war, the great battles—Edgehill, Marston Moor, Naseby—are never named; the King's execution is passed over in silence. Perhaps one cause of the omissions was prudence; it would not be prudent to write down any words which might be wrested by either party, Royalist or Parliamentarian, against the town's welfare. Self-interest, not enthusiasm, seems to have been the keynote of the patriotism of the average burgess of Liverpool in the seventeenth century.

COMMUNICATIONS

SELECTIONS FROM THE MOORE PAPERS[1]

Transcribed by R. Stewart-Brown, M.A.

No. 1.

A shorte Narrative of the Proceedings att the Election of the Mayor at Leverpoole upon St. Luke's Day, being the 18th of October 1669.[2]

(Moore Papers, Sale Cat. No. 124, Public Library, Liverpool)

THE Mayor Aldermen Freemen &c. being assembled in the Towne Hall for the electing of a new mayor for the yeare ensuing, Edward Moore of Bank hall Esq. and Mr. Thomas Bixteth were the persons under the consideracion of the Assembly to serve in that office. The contest of the parties for these two persons was very warme ag^{t} each other, and great shouting there was as is usual in popular assembly. The Company being disatisfied, each party desired a Poll and two Persons were chosen (for each party one) to write downe the names of such as gave their votes; these two writte as long as any would give in their names, and when no more appearing on Mr. Bixteth's side, the Mayor of the Towne called for theire papers wherein he found forty eight votes for Mr. Bixteth and seaventy odd for Mr. Moore, which papers hee kept above an houre in his hand still presseing whether any more would come

[1] Selections by T. N. Morton of other documents appeared in vols. xxxix. and xl.

[2] These curious proceedings have so far been overlooked. They formed, no doubt, one of the two occasions particularly mentioned by Moore in his *Rental*, when the townsmen failed him (*Liverpool in King Charles II.'s Time*, pp. 10, 164). The other cause for his bitterness was the refusal to elect him as member of Parliament. Moore's feeling against Bixteth comes out in the *Rental:* "He is a very knave and hath deceived me twice. I charge you never trust him."

to give in their votes by name, in all w^ch^ tyme no more subscribing for Mr. Bixteth, the Mayor stood up and declared that Mr. Moore had the majority of votes in the paper, and that Mr. Moore in his judgment was elected Mayor. Notwithstanding which declaration Mr. Bixteth's party grew clamorous and rude, and being backed by the Recorder, Minister and Towne Clerke (John Entwistle Esq., Mr. Lee and Mr. Samuell Fazackerly by name), they grew insolent and refused to acquiesce in the Mayor's declaration and Judgement.

The said Recorder, Minister and Towne Clerke, with some of the Aldermen who, leaving the Bench, engaged themselves amongst the vulgar, augmented by the Papist interest, insinuated theire owne sense which immediately discovered itself in the outrage of that Multitude who uttered the desire of such that att that time did disapprove. The old Mayor commands the Towne Clerke (as by the duty of his place hee was oblidged) to administer the oathes required by the charter of the Towne, and by the Act for regulating of Corporations, to Mr. Moore, to which hee absolutely denied to yield obedience and departed out of his place, notwithstanding the old Mayor's commands to the contrary.

This Proceeding of the Towne Clerke, being abetted by the Recorder, Mr. Entwistle, gave such encouragement to Mr. Bixteth's party that neither Law nor Reason could satisfy them, and when anything was offered them either by the old Mayor or the more sober party, no answer was given but noyse and clamour.

Thus itt rested till about five or six of the clocke in the evening of that Day, when it was observed against Bixteth that hee had not received the sacram^t^ within the year before the election as is required by the said Act.[1] This being looked on as very materiall, the old Mayor stood upp and declared to the Assembly that, although Mr. Bixteth should have the majority of votes, yet by that Act for Regulating of Corporations his Election was voyd in lawe.

The more Lawe and Reason was urged in this case the more insolent and audacious Bixteth's party grew, saying they would dye upon the spott but Bixteth should be chosen, and that they cared not for an Act of Parliament, and that the old Mayor should not goe out of the Towne hall till theire ends were effected, whereupon the better to satisfie the Assembly the old Mayor call^d^ upon the Minister of the Towne then present in Court and gave him his Oath to answer such Questions as should bee demanded. Whereupon he being asked whether Mr. Bixteth had received the communion within the tyme required by the

[1] There is a certificate by the Vicar of Walton that Moore himself had received the Sacrament (Moore MSS., Cat. No. 128).

said Act, hee refused to give a plain and categorical answer, saying that till he had perused his notes he was not able to resolve that doubte. Whereupon hee imediately goes out of Court and after two houres staye, hee and Bixteth comes in together; the Assembly, being jealous of foule play from the said Minister, begann to suspect that the notes that hee pretended to visitt was but a designe (hee haveing all the while beene very active and boysterous) to goe att that instant to administer the sacram[t] to Mr. Bixteth, which was afterwards proved by Mr. Bixteth's confession in open Court, none communicating besides himself and the Minister, contrary to the Cannon and Rubricke.

This was looked upon by all good Christians present with the greatest horror imaginable, that the greatest and most sacred misteries of the Christian religion shuld be thus prostituted to by ends.

The truth *re* this Narrative should never have been exposed to publicke view had not this greate Misterie of the Christian Faith beene thus exposed to publicke scandall and reproach.

A second time the Mayor declared for Mr. Moore and that, admitting Mr. Bixteth had ten thousand votes, yett his election was voyde. Notwithstanding all this the Recorder Minister and Towne Clerke adhered to theire owne humour and sense that Bixteth shuld bee Mayor, and Fazakerley the Towne Clerke refused to obey the Mayor in sweareing Mr. Moore.

Upon this refusal Charles Earl of Derby, Lord Lieutenant of the County, and the Mayor offer to leave the Co[rt] but were opposed at the hall doore by Bixteth's party. Whereupon the said Earl comanded in his Ma[ties] name a Removeall of the force, but was denied, so that till the Towne Clerke had sworne Bixteth Mayor, which was about nyne of the clocke att night, none were permitted to depart out of the Towne Hall.

These things concurre to make Mr. Bixteth's election voyd:[1]—

1. First, more names for Mr. Moore in the Papers than Mr. Bixteth had, and that backed by the Mayor declaring Mr. Moore to bee duly elected.

2. The force upon the old Mayor, Bixteth's party not suffering him and the Lord Lieutenant to goe out of the Towne hall, nor others concerned on Mr. Moore's behalf to come in.

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[1] Sir James Picton states that this election was objected to on information to the Privy Council, and prints a resolution of the Town Council authorising Bixteth to defend his election at the cost of the Town (*Municipal Records*, i. 245).

The election of John Leigh as Minister was also contested by the Rector of Walton in the Consistory Court of Chester, and a similar authority obtained to defend the proceedings (*Municipal Records*, i. 322).

3. But thirdly, which is the most materiall, that the election of Bixteth was contradictory and in opposition to an Act of Parliament, hee being a person not qualified by law to hould that office, the p'tended administration of the sacrament as above said not being valid enough to satisfy either the meaning or the words of the Act of Parliament, which enjoynes the administration thereof to precede the election.

Thus much for St. Luke's Day. The day after, in the morning, in one Mr. Sandifords house, Mr. Bixteth did declare in the hearing of the Earle of Derby and severall others that hee would not have received the sacrament but for the persuasion and instigation of the said Mr. Leigh the Minister.

Lett all good Christians now judge what a Mayor and what a Minister the Towne of Liverpoole doth nowe enjoy. The hope is that the Ecclesiasticall Powers will chastise the one and the Civil powers reach the other, to the Vindication of the honour of God and of his only Sonne our Lord and Saviour Jesus Christe, as also to the upholding and maintaining his Ma^{ties} lawes, that Church and State may goe hand in hand and both bee equally revered used and obeyed. If otherwise, the danger is greate least both should be ruined, for this was the method of our late Republicarians, first to lay the Mitre in the Dust to which same place fell the Crowne shortly after. And this confirmes King James' his Maxime, *Sublato Episcopo tollitur Rex.*

[Endorsed, in Edward Moore's writing.] "A Breve concarning ye maior of Liverpoll Ellection."

No. 2.

MOORE STREET LIVERPOOL

A Poem

By Edward Moore

(Moore Papers, Sale Cat. No. 49, Public Library, Liverpool)

In Memory of the Exact and cureous buildinge
of Moore Street in Liverpoole, ericted by Edward
Delamore Esq upon his soyle, to the incouragement
of ingenuety and industry And to the
Eternall perpetuating both of his Name
and Fame with true Renowne
Bright Hon^{r} and ne're fadinge
Glory.

Stricke sayle, Kind Muse, see Neptune strives to meete
Thee wth his Richest treasures in Moore streete,
And bends his curlèd browes, smilinge, to kisse
Thes[e] stately wales [walls] in w^{ch} hee countes his blisse.
For here all pleasures meete and doe conspire
To joyne the Earth wth Sea, the Sea wth thy desire,
For what this World or Heaven above can give
Here mayst thou finde, in plenty mayst thou live.
But stay, now come a-shore, see here's not pride
But downe Right honesty doth heere reside.
Here sloth is banisht [two and a half lines erased]
Nor fiery lust thes[e] mighty[1] walls contayne
But modest chastity without a stayne.
Nor open wickedness doth here abound
But constant harmless mirth is to bee found.
Nor pale fac't Envey's heere, for all will bee
Joyfull at thy and my prosperitie.
Now, gentle Muse, let's walk one step more higher,
You'le see a Fenwick street the More to admire,

[1] The word looks like "milky," and if so, is perhaps an allusion to the colour of the stone.

Admire to see how Nature here doth weave
Thes[e] maryed streets by the rare street . . . Cleve.[1]
From thence let's pass; behold, by this great Moore
Is fram'd a Temple[2] in w^ch^ thou mayst adore
Great Elohim, and there a Pean singe
Of prays and Lawd unto the Kinge of Kings.

[At the foot are some rough notes by Moore for the continuation of the poem, which apparently was intended to refer to his relations and education, his services to his Lord, and his fidelity, and the future of himself and his son.]

No. 3.

A Letter to Edward Moore with reference to Liverpool Castle, &c., undated, but probably 16th February 1666.

(Moore Papers, Sale Cat. No. 128, Public Library, Liverpool)

Sir,—I doubt not but ye Know upon what designe my Lo. Molleneux came up to London, soe that of that I need say nothing but doe assure you that notwithstanding his endeavours the Castle of Leverpoole is to be further demolished & he has onely obtained the favour to be Over-seer of the worke himselfe & take into his custody the stones & other things for his Ma^ties^ use till further orders, soe that the Towne's men have the request they made in their petition. There was a warr^t^ to this purpose signed last night & delivered my Lo. Molleneux (I suppose) this day[3] but of w^ch^ nor any thing else that I have writt now pray say you nothing to any body whatever till you heare something more of it from some other person, for I would gladly have it come of themselves. There is no newes but that my Lo. Hollis & Mr. Henry Coventry are making all p^r^paration to goe Embassd^rs^ to the Hague where they are to meet both the Dutch French & Deanes [Danish] Embassad^rs^ & then to treat of peace. There are, it seemes, certaine & great reasons why our

[1] Allusions to his marriage to Dorothy Fenwick and his son Cleave. No street known as Cleve Street was ever built.

[2] Probably a reference to the church Moore intended to get built by the Earl of Meath on the site of the Castle (see *post*, pp. 209–10).

[3] The date of this warrant seems to have been 15th February 1666 (? O.S.), from a copy calendared in the Stewart MSS. (*Hist. MSS. Comm.*, vol. 10, pt. 4, p. 99). This copy was not included in the Sale Catalogue of 1901, and is not, therefore, among the documents purchased for the Liverpool Public Library.

Emb^rs^ goe to Holland w^ch^ the King & Councell reserve to themselves: however, there is order for the speedy p^r^paration of our fleet for the sea and the summe that is to fitt the fleet out is given me by the Com^rs^ of the Navy to be seventeen hundred thousand pounds & odd moneyes This is all at p'sent but that I am your most aff^te^ & faithful servant,

THOMPSON.[1]

Pray pardon my haste & let me have a line from y^ou^.

[Endorsed.]
For Edward Moore Esq. at Bankhall neare Leverpoole in Lancashire.

p. Warrington.

[Seal of Arms on letter, of red wax, in good preservation, a lion passant guardant between three cross crosslets.]

No. 4.

Agreement[2] by Edward Moore of Bankhall with John Taylor of Congleton for a Grant of the Site of the Castle of Liverpool for a Church to be built by the Earl of Meath. August 3, 1666.

(Moore Papers, Sale Cat. No. 123, Public Library, Liverpool)

Memorandum that I Edward Moore of Banckhall in the County of Lancaster Esquire doe by these presents faithfully promise to pay or cause to be payd unto John Taylor of Congleton in the County of Chester Esq^r^ the sum of 300^L^ [s]tirling and twenty pounds more for charges within the time or space of 3 months next and immediately after the sayd John Taylor hath procured a particular sure and firme grant absolutely perfected under the broad seale of England of the Land Scite or place whereon the Castle of Liverpoole with the walls now stands and likewise a grant in the sayd patent of the Castle ditch and all the libertyes that belong to the sayd Castle And

[1] Probably Joseph Thompson, Rector of Sephton, from whom there are other letters.

[2] The credit of selecting this site for a church is generally ascribed to Sir Thos. Johnson and his friends in the early years of the eighteenth century, but this document shows that its suitability for a church occured to Moore, with his usual foresight, some forty years earlier.

that this grant shall stand in force against all other grants, together with the stone and timber of the sayd Castle with all other materialls now to ye sayd Castle or building thereunto belonging or apertayning. And w^ch^ sayd patent with all its appurtenances shall bee an indenture to ye only use & behofe of the Right Hon^ble^ Edward Earle of Meath his heires & assignes forever, upon condic̃on the sayd Earle of Meath shall erect a new substantiall & compleat Church in the place where the Castle now stands of w^ch^ ye sayd Edward Earle of Meath his heires & assignes forever after shall by ye sayd grant bee made Patrons; Provided this Bill of three hundred pounds shall not bee due to bee payd by ye sayd Edward Moore till ye sayd grant in as full and ample man^r^ as aforesaid bee absolutely finished under the broad Seale of England & bee delivered into ye hand of ye sayd Edward Moore or his assignes to ye only use & behoofe as is aforesayd express^d^. In confirmation hereof ye sayd Edward Moore & John Taylor have interchangable sett our hands & *Seales* [crossed out] this 3 day of August Anno 1666.

(Sd.) J. Taylor.

Witness

Richard Booden [Bowden]
George Hull
Thomas Crumblaholme

[Endorsed in Moore's writing] Mr. Taylor. Agreem^t.^ About ye Castle of Leverpooll.

[In Margin] Earle of Meath is cal^d^ by ye name of ye Lo^rd^ Brabston [Brabazon].

No. 5.

A Letter (dated 30th November 1683) from the Rev. Thomas Marsden, Vicar of Walton, to Sir John Moore (of London), with reference to the making of a street between Chapel Street and Water Street.[1]

(Moore Papers, Sale Cat. No. 128, Public Library, Liverpool)

Walton, *November 30th* 83.

S^r^ John,—The occasion of my addressing to y^r^ Honour at present is this. There is an old ruinous thatch'd cottage (or

[1] Edward Moore had thought out the making of this street years before (*Liverpool in Charles II.'s Time*, Irvine, p. 23). No doubt it was Covent Garden, which is mentioned in the Town Records of 1694 as ill-paved or in part unpaved (Picton's *Records*, i. 316).

two) in Chappel street in Liverpoole belonging to Banke-hall, whose garden reacheth a good way towards the Water Street in a direct line, and one Mr. Asbrooke ye next neighbour to it having ye very same breadth of ground adjoyning, designes to have it built upon next spring. Now it is thought adviseable that S^r^ Cleave and hee joyne together to make a street, so will either party gaine halfe ye breadth of ye street and thereby gaine some roome backwards. But here is ye Knot. S^r^ Cleave's land not reaching quite through to ye Water street, the entrance into it must bee made for some way through Asbrooke's land and hee requires ten pounds that S^r^ Cleave may have ye property made him of halfe that passage or entrance that would ly on his side ye street. All I shall say of it is that ye land lyes comodiously for such a designe and very near ye river and will be a comunicacon betweene two of ye best streets in ye towne; and consequently there will bee builders enough; several, I am well informed, are striving already who shall first bee recomended to you as Tenants. When S^r^ Cleave was downe I waited upon him and an old gentleman who came w^th^ him to ye land I speak of: and they both expressed their good liking of this desyne when Mr. Daniel Lawton was present w^th^ us; S^r^ Cleave recomending the care of it to Mr. Lawton as y^r^ Agent. Alderman Windle, who is Asbrooke's gardian, is somewhat hasty for an answer, to ye end hee may know how to contrive his matters: and I hope at y^r^ first convenience Mr. Lawton will bee ordered to give him one.

I am bold to comit y^r^ selfe & Lady to God's protection and rest, S^r^ John.

Y^r^ most humble serv^t^.

THOMAS MARSDEN.

With w^t^ face my last boldnesse seemed to look upon you I know not, but I heartily beg y^r^ pardon for it.

[Endorsed.]

For the Honourable S^r^ John Moore at his house in Mincon [Mincing] Lane, London. This present.

ARMORIAL PANELS IN EASTHAM CHURCH

THE three panels shown in the accompanying plates are generally recognised as being among the most interesting specimens of old oak carving now remaining in Cheshire, and their excellence, both in design and workmanship, has attracted the attention of many visitors to Eastham. A short account of these carvings will, therefore, probably be interesting to the members of the Society.

Although the panels have been previously photographed on several occasions,[1] the subjoined reproductions, from photographs by Mr. Waite, convey an idea of the carving so much more true than that afforded by any former pictures that the Council of the Society have decided to publish them.

At first sight one is inclined to look upon the panels as belonging to the latter part of the fifteenth century, but on a more careful examination the Renaissance feeling which distinctly pervades the whole work and its general design and character suggest that the carving was executed about the year 1520, a conclusion in which Mr. W. H. St. John Hope, an acknowledged authority, concurs.

The arms displayed on the panels are those of the three Cheshire families of Poole, Capenhurst, and Buerton, and there can be little doubt that they were all originally set up in the church, on a screen or pew, by some member of the family of

[1] The photograph, which is given in vol. lii. of the Society's *Transactions*, as an illustration to Miss Poole's paper on "The Poole Family of Poole Hall in Wirrall," was taken sideways, with the result that the details of the carving are by no means distinct.

CARVED OAK PANEL IN EASTHAM CHURCH

ARMS OF BUERTON

CARVED OAK PANEL IN EASTHAM CHURCH

ARMS OF CAPENHURST OF CAPENHURST

CARVED OAK PANEL IN EASTHAM CHURCH

ARMS OF POOLE OF POOLE

Poole of Poole Hall, the Pooles being at that time entitled to quarter the arms of Buerton and Capenhurst with their own. But it is not easy to determine by whom the panels were set up. Thomas Poole, who died without issue in 1510, was succeeded at Poole Hall by his brother John, then aged forty; John also died without issue, and was succeeded by his brother Randle, Rector of Neston, who, dying in 1538, was succeeded by his nephew Thomas, the son of Randle's youngest brother, Sir William, who had died in 1535.

Sir William, who was knighted at Lille on the 14th October 1513, was High Sheriff of Cheshire in 1527–28, and, as already mentioned, died in 1535.

In Harl. MS. 1045, fol. 101*b*, there is this note:—

"The crest, the Staggeshead caboshed [Gules] the hornes gobony of 4 peces Or and b, was given to William Pull of Wirall in Chester esquier by Thom's Wrottesley [Wriothesley] *alias* Garter and John Young *als* Norrey by letters pattenes dated A° 1613 [1513] in the 4 yeare Hen. viij."

This was an adaptation of the Buerton crest, and was borne by Sir William, together with the old Poole crest of a griffin's head erased, gorged with a ducal coronet; both crests appear as badges upon his banner.

If Sir William was living at Poole Hall during the lifetime of his brother Randle he might well have caused the panels to be carved, but in that case one would have expected to find this new crest of a stag's head accompanying his arms. His elder brother, Thomas, seems to have died too early to have ordered the work, and Randle, as a priest, would not be likely to display the helm and crest which stand above the shield on the first panel; so possibly the second brother, John, may have been the one who wished to show his arms in the church, but this is merely conjectural. J. P. R.

NOTE TO "SOME ARMORIAL HOUSE TABLETS IN LANCASHIRE"[1]

Arms of Ashhurst

MR. BROMLEY, who examined and studied this tablet many years ago, when it was more perfect and the motto could be traced, suggests a more probable identification of the quarterings, viz. that the second quarter is for Orrell of Orrell and Skelmersdale, and the third quarter for Dalton of Dalton. Mr. Bromley adds that the Ashhurst estates included Dalton, Orrell, Upholland, and Skelmersdale, and that these lands passed by purchase from the Ashhursts to the Bootles, and thence to the Earls of Lathom.

According to Foster's pedigree of Ashhurst of Waterstock, co. Oxford, Sir John de Asshehurst, *temp.* Richard II., married Margaret, daughter of Henry de Orrell; their great-grandson, John de Asshehurst, *temp.* Henry VI., married Katherine, daughter and co-heiress of Roger Dalton; and their grandson, John Asshehurst, married, for his first wife, Alice, daughter and heiress of John Orrell. From this marriage William Ashhurst, who set up the house tablet in 1649, was descended.

The Orrell arms, allowed at the Visitation of Lancashire, 1533, were Argent, three torteaux between two bendlets Gules, a chief Sable.

The Daltons of Dalton bore Azure, cruisily and a lion rampant guardant Argent, crowned Or. (Burke's Armory.)

J. P. R.

[1] *Transactions*, vol. lx. p. 156.

ARMS, CREST, AND SUPPORTERS OF ROBERT CHOLMONDELEY, VISCOUNT CHOLMONDELEY OF KELLS, 1661

ARMS AND CREST OF SIR THOMAS VENABLES, KNT.,
BARON OF KINDERTON, 1560

ILLUSTRATIONS TO "SOME HERALDIC CHESHIRE DOCUMENTS"

Printed in Vol. LX. (new series Vol. XXIV.) page 160

MR. W. H. Rylands has kindly drawn and presented the annexed two plates of the arms of Venables and Cholmondeley as illustrations to the grants printed in the last volume of the *Transactions*.

IRBY WINDMILL

THROUGH the kindness of the Proprietors of the Athenæum, Liverpool, we are able to include in this volume a picture of Irby Windmill, pulled down in 1898 (see the "Old Flour Mills of Wirral," by E. M. Abraham, in vol. lv.–lvi. of our *Transactions*).

The inscribed stone below the illustration is over the door of a farmhouse near by, the initials standing for Richard and Anne Hale, who probably built the mill, and is reproduced by permission of the editors of the *Cheshire Sheaf;* some account of this old Wirral milling family will be found in the third series, vol. vii. [1211], of that publication.

F. C. B.

IRBY WINDMILL

HOUSE PLATE, IRBY MILL HILL

REPORT FOR 1909

PRESENTED 20TH JANUARY 1910

THE number of resident members is now 162, non-resident 42, life members 12, associate 4, and honorary members 4.

The Council regret to record, amongst others, the death of the Right Hon. the Earl Egerton of Tatton, a Vice-President of the Society, and a member since 1851.

Nine meetings have been held during the year, at each of which a paper has been read dealing with some local subject. The Council are glad that the attendance of members continues good.

Two excursions took place during the summer, and were well attended. Owing to pressure of work the issue of Volume 60 of the Society's *Transactions* has been delayed, but is now only awaiting the Index, and will be published shortly.

The Council regret to inform the members that at a meeting of the Council held on the 20th December, a letter from the Honorary Secretary was read tendering his resignation owing to pressure of business. It was proposed by the Chairman, and unanimously carried, that a hearty vote of thanks be accorded to Mr. Irvine for his services to the Society during his tenure of the office of Honorary Secretary.

LIST OF NEW MEMBERS, 1909.

Mrs. Atkinson.
W. T. Blackledge, M.B., C.M., Edin.
Miss M. E. Burnett.
J. E. Gerrard, M.S.A.
John Gilbert.
V. Astley Hampshire.
Lanyon Nickels.
H. E. Scholefield.
Mrs. Walmsley.
E. C. Woods, L.D.S. (Eng.).

PAPERS READ, 1909.

Jan. 21. "Notes on the History of Warrington Bridge." By CHARLES MADELEY.

" " "Liverpool Castle Tunnel." By ROBT. GLADSTONE, Jun., B.C.L., M.A.

Feb. 4. "The Painting, 'Liverpool in 1680,' with some Notes on the Peters Family." By RONALD STEWART-BROWN, M.A. (Printed in Vol. LX.)

" 18. "North Country Tithe and Tenure." By the Rev. T. HAY COLLINS.

Mar. 4. "Liverpool during the Civil War; being Extracts from the Corporation Records." By Miss E. M. PLATT, M.A.

" 18. "Elizabeth Farren; subsequently Countess of Derby." By R. J. BROADBENT.

April 3. "Notes on Books in Old Southport." By F. H. CHEETHAM. (Printed in Vol. LX.)

" " "The Heraldry of the Font in Holt Parish Church." By the Rev. E. E. DORLING. (Printed in Vol. LX.)

Oct. 28. "Our National Records and How they have been Treated." By R. GLADSTONE, Jun., B.C.L., M.A.

Nov. 11. "The Tower of Liverpool, with some Notes on the Clayton Family." By RONALD STEWART-BROWN, M.A.

,, 25. "Some Notes on Billinge." By the Rev. W. A. WICKHAM.

Dec. 9. Lantern Evening.

The Hon. Treasurer in account with The Historic Society of Lancashire and Cheshire.

YEAR ENDING 31ST DECEMBER 1909.

RECEIPTS.	£	s.	d.
Subscriptions and Dividends on Consols	197	6	8
Bank Interest	1	9	0
Sale of Books	4	4	0
Received from Record Society Lancashire and Cheshire, half of rates, stock-room £0 10 5			
Received from Record Society Lancashire and Cheshire, half of rent of stock-room 2 10 0			
	3	0	5

Reserve Fund.—Consols £2, 10s. per cent. (Scrip in hands of Hon. Treasurer) :—

£144 3 8	Bought	8 Aug. 1898
65 16 4	„	6 Nov. 1906
12 14 10	„	16 Aug. 1907
27 5 2	„	4 Feb. 1908
£250 0 0		

Scrip examined 10th January 1910,

J. PAUL RYLANDS.

Subscriptions in arrears, 1908, £1 1 0
„ „ 1909, 3 13 6

£206 0 1

F. C. BEAZLEY, *Hon. Treasurer.*

EXPENDITURES.	£	s.	d.
Balance	2	13	0
Rent, one year to 30th June 1909 £10 10 0			
„ „ extra bookcase 0 10 0	11	0	0
Rent of stock-room, 1909 £5 0 0			
Fitting shelves in same 2 10 0	7	10	0
Refreshments, 1909	12	3	0
Secretary's honorarium, 1909	26	5	0
Balance printing Volume LIX.	1	8	3
Printing and binding Volume LX. (approximate cost without index)	93	13	4
Notices, addressing, postages, and despatching volumes, balance, 1908 £0 14 9			
Notices, addressing, postages, and despatching volumes, 1909 13 0 2	13	14	11
Subscriptions to other Societies	3	3	0
Insurance to Lady-Day, 1910	0	8	0
Negatives for volume, lantern slides, and limelight	1	19	8
Rates, stock-room, 1909	1	0	10
Secretary's and Treasurer's postages, stationery, cheque-book, and postages on volume	3	8	0
Binding, per librarian £1 4 6			
„ per printers, 1908 0 2 0	1	6	6
Lecturer	2	2	0
Removing picture	0	4	0
Loss on excursion	1	12	6
Balance per Bank-book	22	8	1
	£206	0	1

Audited and found correct,

J. PAUL RYLANDS.

10th January 1910

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INDEX TO PAPERS AND COMMUNICATIONS
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Volume liv. (N.S. 18) of this Society's *Transactions* contained a working general index of volumes i. to and including li., and it is desirable that such an index, at least, should be in the hands of members from time to time. On the other hand, a multiplicity of indices is a hindrance to searchers, and perhaps the time has not yet arrived for the compilation of another.

In the meantime, the following rough index to the papers and communications contained in volumes lii. to lxi. has been prepared by the Hon. Secretary, which it is hoped may be useful. As the index is merely for temporary use, and some of the titles are lengthy, they have not in all cases been given in full.

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CONGRESS
OF
Archæological Societies
IN UNION WITH THE
Society of Antiquaries of London,
JULY 7TH, 1909.

The Twentieth Congress of Archæological Societies was held on July 7th, at Burlington House ; C. H. Read, Esq., LL.D., President of the Society of Antiquaries, in the Chair.

The Congress was attended by Delegates from the Society of Antiquaries, the Royal Society of Antiquaries of Ireland (2), the Royal Archæological Institute (2), the British (2) and Cambrian Archæological Associations, the British Record, the Folk-lore (2), the Huguenot (2) and the Viking Societies, and the Societies for Berkshire (2), Bucks, Cambridge (2), Carmarthenshire (2), Chester and North Wales, Cornwall, Cumberland and Westmorland, Leicestershire, Notts (Thoroton), Somerset (2), Suffolk, Surrey (2), Sussex (2), Wilts and Yorkshire, Members of the Council of the Earthworks and other Committees, and other Delegates who omitted to sign the Register.

The Minutes of the last Congress, held on July 8th, 1908, were read and confirmed.

The Report of the Council was read and approved, and the Statement of Accounts, audited by Mr. Wm. Minet, F.S.A., was read and adopted. The thanks of the meeting were given to Mr. Minet for his services, and he was appointed auditor for the ensuing year.

The following were elected as the Council :—

The Officers of the Soc. of Antiquaries.
W. Paley Baildon, F.S.A.
Lord Balcarres, M.P., F.S.A.
Sir E. W. Brabrook, C.B., F.S.A.
Rev. P. H. Ditchfield, M.A., F.S.A.
W. J. Freer, F.S.A.
G. L. Gomme, F.S.A.
Emanuel Green, F.S.A.
W. H. St. John Hope, M.A.
Henry Laver, F.S.A.
Wm. Minet, F.S.A.
Canon Rupert Morris, D.D., F.S.A.
Ralph Nevill, F.S.A.
J. Horace Round, M.A., LL.D.
J. B. Willis-Bund, M.A., F.S.A.

Mr. C. F. Keyser expressed the regret of the Congress at the retirement of Mr. Ralph Nevill from the office of honorary secretary

that he had held for fifteen years ; the President bore testimony to the ability and discretion shown by Mr. Nevill in the discharge of the office, and a cordial vote of thanks was given to him by acclamation.

Mr. Nevill in thanking the meeting stated that reasons of health made him anxious to secure freedom from engagements ; he had also always been of opinion that honorary secretaries should not continue in office too long, but make way for new men ; he had wished to retire some years ago, had he been able to find some one to take up the work. Among the subjects that he had himself introduced, or been closely associated with, were Parish Registers, Churchyard Inscriptions, the Photographic Survey, the Index of Archæological Papers, Calendars of Portraits, Municipal and County Records, and the proposals for the formation of Local Record Offices, which, with slight modifications, had been adopted by the Royal Commission and incorporated in a Bill. He had always endeavoured to arrange that the Congress should take up work of various sorts, and should not confine itself to one particular branch, and should keep before it as its objects, not so much the promotion of pure archæology, as the assistance of the work of the local societies that it represented. The prospectus of the Congress showed the large amount of important work that had been done by it, and of late years the Congress had been able to make valuable representations to Government, many of which had had effect. The Congress had lost as members some of the earlier subscribing societies, but these were of unimportant character, and others of importance had joined, so that the Congress could now claim to be thoroughly representative.

Sir Edward Brabrook then, on behalf of the Council, proposed as honorary secretary Mr. A. G. Chater, who had shown himself an energetic secretary of the Earthworks Committee. Mr. Keyser seconded this, and Mr. Chater was elected, and expressed his willingness to accept the office. Mr. Nevill undertook to conclude the work of the present Congress.

Mr. Fry stated that as there appeared to be no chance of the Congress publishing the Bibliographies of printed Calendars that had been already prepared, the Committee had not taken further active steps. He asked that a certain sum should be set apart for the use of the Committee, and suggested that if an annual volume of Transactions were issued by the Congress it would get over the inconvenience of the issue of numerous small pamphlets. Mr. Phillimore supported this view, and expressed the opinion that it was not necessary to print copies for all members of Societies, but a limited number only.

Mr. Nevill explained that the method in the past had been to devote sums at intervals to different objects, and that he did not think the funds sufficient for annual grants. The funds had lately been devoted largely to Earthworks Reports, as to which something would be said later ; he should like to hear the opinion of the Congress as to the manner in which the Bibliographies should be published ; he thought they should be completed and kept up to date, but not published until a considerable number were ready so as to avoid

the inconvenience of small issues. His experience was that it was useless to expect secretaries of societies to undertake the great labour and expense of the issue of publications to selected members; the issue could be done to all members at little more expense and no trouble, as it was made with the annual volume of Transactions or with other annual notices.

Major Freer, F.S.A. (Leicester), said that in his experience the Reports were much appreciated by the body of members, and as an honorary secretary he confirmed the view as to the impossibility of selected issue.

On the suggestion of the President the question of the best method of printing the Bibliographies was referred to the Council, it being understood that money should be found for the purpose.

Mr. Nevill explained that owing to the falling off in the number of subscribing societies, and the increase in volume, Messrs. Constable had given notice that it was impossible for them to continue the publication of the Annual Index of Archæological Papers except at an increased rate. He did not think from his experience at the time the Congress published the Index that the price could be raised, and thought that Messrs. Constable had relied entirely on the subscriptions of the societies instead of appealing to a larger public as had been contemplated by the Congress. The Congress could have continued the publication but for the trouble caused by the desire of libraries and individuals to acquire copies. They were willing to pay the shilling which had been the charge, but the work of distribution was more than an honorary secretary could be expected to undertake. He had considered that an energetic publisher should be able to make the work pay.

Mr. Phillimore (Thoroton Soc.) said that he hoped the publication would in some way be continued; he considered it most valuable and pre-eminently a work for the Congress to undertake, as it summarized the work of the societies.

Major Freer deprecated any increase in the price, but hoped the publication would be continued, and Mr. Fry and many other delegates expressed the same views.

Sir Edward Brabrook, Mr. Minet, Mr. Gomme, and Mr. Phillimore were appointed a committee to consider what was best to be done.

Mr. Chater presented the Report of the Earthworks Commission, which proved full of interest, and will be issued separately. The original scheme being out of print, a revised scheme embodying the various annual Reports had been prepared, and by the help of the Society of Antiquaries and other Societies was now ready or issue at the price of 3*d.* a copy, or on reduced terms for quantities.

Dr. Williams Freeman who was engaged in scheduling the Hampshire camps gave some information as to this work. Instead of forty camps, as shown on the Ordnance Survey, there were seventy or eighty.

A discussion took place on the cost of the Annual Reports of the Earthworks Committee, which absorbed most of the funds at the disposal of the Congress. It was agreed that it was most important that these admirable Reports should not be curtailed as they had proved of the greatest value, and awakened great interest in a new department of Archæology.

Mr. Nevill asked if delegates thought that Societies would pay something for the copies they received ; as 15,000 copies were printed even such a small sum as two shillings a hundred would provide a great part of the cost, and such a payment would also meet the views expressed by Major Freer earlier—that the large societies had an undue advantage over the smaller.

Sir Edward Brabrook thought two shillings too little, but the Rev. F. W. Weaver, representing Somerset, with over 800 members, thought the charge should be kept as low as possible. Mr. Johnston, F.S.A., speaking for Sussex, with over 600 members, said the interest in the subject was increasing, and thought his society would pay two shillings and sixpence freely, and Mr. Denison, for Yorkshire, with 600 members, agreed to the charge of two shillings and sixpence, which was generally accepted.

The President drew attention to the fact that the Royal Commission appointed did not render unnecessary the work of local societies. The destruction done was largely the result of ignorance, and could be best combated by the spread of information.

Mr. H. D. Acland (Royal Institution of Cornwall) introduced the subject of stone monuments, which especially interested his society. He was a member of the newly formed society for the astronomical study of these remains, and had had his attention called to the sad destruction that still went on, owing largely to the public ignorance of their importance. The site of what was perhaps the oldest church in England—Withian, near St. Ives, founded by Breton missionaries—had been sold by the Ecclesiastical Commissioners to a Nonconformist who refused to allow any exploration. Menhirs were still removed to form gate posts, and numerous stones duly recorded on the Ordnance Survey had now disappeared, and stone circles were still destroyed to form road metal.

He advocated the provision of 6 inch Ordnance maps on which the existence of all monuments could be underlined in red ; also that any inspector appointed should have power to expend small sums in fencing and protecting stones.

He said that he had found schoolmasters take the greatest interest in the subject, and that by interesting their scholars they had done a great deal to stop destruction.

Canon Warren (Suffolk) said that the same conditions prevailed in Devonshire, and instanced a case in which a farmer had deliberately destroyed a stone circle because of the number of visitors who were attracted by it.

Mr. Major (Somerset) suggested that landlords should put a clause in their leases insuring the preservation of such antiquities.

Mr. P. H. Johnston thought the suggestion to interest schoolmasters most valuable, and the Rev. F. W. Weaver wished to include schoolmistresses.

Mr. Edward Owen introduced himself as delegate for the Royal Society of Antiquaries of Ireland, and Secretary of the Royal Commission on the Ancient Monuments of Wales. He stated that the Commission had made a special point of asking for information from the schoolmasters, and in Montgomery had issued a circular and schedule, with a list of all known monuments in each parish, to the schools as well as to the clergy. Information received in consequence had been of great value. He complained of the callousness of local authorities and of Government authorities.

The Office of Woods and Forests had given to a quarry company a lease of the important stone fortress of Pen Maen Mawr, and this was now doomed.

Mr. R. Garraway Rice, F.S.A. (Sussex), said that he had found schoolmasters and mistresses of great assistance in the collection of prehistoric implements, and boys had taken up eagerly the work of finding such ; it was, however, only a few in his county who could be interested.

The Rev. F. G. Walker (Cambridge) wished to say a good word for the parsons who were continually appealing for guidance and help ; he had himself made much use of schoolmasters, who were often agents for local papers. Two years ago he had excavated a tumulus two miles from Cambridge, and in consequence of a notice in the paper, the site was visited on a Sunday after by 2,000 people who drank the publics dry, and caused him to receive a letter of thanks from the brewers. School museums created an interest, and he had found boys quite useful in excavating, and in keeping an eye on road material.

Mr. Nevill pointed out that at the first Congress he advocated the provision by the societies of 6 inch Ordnance maps, on which everything of interest should be noted. His Surrey Society had purchased a set, and found them most useful, but he was afraid not much had been done in the way of record. Subsequently the Society of Antiquaries had drawn up a scheme for archæological maps of counties on which everything known could be recorded by agreed symbols indicating character and date. Several maps of counties had been issued, but it appeared impossible to get the work done generally. The scheme of marks should certainly be adopted by anyone who was working on maps.

The President said that the subject of stone and prehistoric monuments was one that specially interested him. When Lord Avebury's Bill was passed, strong objection was raised to interference

with the rights of private property, but it was possible that there might be more chance now for the passing of even such drastic measures as those proposed by Mr. Acland. He himself had once devised a scheme for preparing illustrations of the principal objects of prehistoric interest that could be circulated and exhibited in schools ; no doubt many flint and other implements might then be preserved that were now thrown away. Possibly the Congress might, in conjunction with the Society of Antiquaries, develop such a scheme.

The Rev. E. Goddard (Wilts) thought such diagrams would be most useful, and on his proposal, seconded by Canon Morris, it was resolved—"That the Council of the Society of Antiquaries be asked to consider the possibility of preparing, in conjunction with the Congress, a scheme for circulating diagrams of prehistoric remains to all educational institutions."

Dr. Read then left the chair, which, after a vote of thanks to him, was taken by Mr. C. F. Keyser.

On the motion of Mr. Freer, the attention of societies was invited to the desirability of their providing and marking 6 inch maps according to the scheme of the Society of Antiquaries.

On the proposal of Mr. Acland the secretary was directed to write to the Royal Commissions on Ancient Monuments of England and Wales, expressing the great satisfaction with which the Congress viewed their appointment, and their earnest hope that some measures for the preservation of the monuments might follow in consequence of their reports.

Mr. Nevill reported a letter from Sir H. George Fordham, Chairman of the Cambridgeshire County Council, pointing out the incorrectness of the statement in the Minutes of the Congress of 1908, that the Tithe maps were in the custody of the Clerks of the Peace. According to the Act one copy was to be deposited with the Registrar of the Diocese, and the other with the Incumbent and Churchwardens of the Diocese.

The latter have, in perhaps the majority of cases, disappeared. The Inclosure Awards ought to be in the custody of the Clerks of the Peace, but are often missing.

Mr. E. Owen stated that complete sets of the Tithe maps were in the hands of the Board of Agriculture.

Mr. Keyser said that it would be valuable if returns were obtained by County Councils of all such documents in parish or other hands.

Major Freer stated that this had been done in Leicestershire and the results printed, and also in other counties.

The Rev. F. W. Alington (East Herts), on behalf of Mr. W. B. Gerish, honorary Secretary of his Society, brought forward a proposal that the Record Office should be asked to provide a set of their

publications to be issued on loan to workers unable to attend public libraries. Sympathy was expressed for the object of the motion, though it was not thought practicable, and it was not carried.

The following resolution, proposed by Mr. Ralph Nevill, of which notice had been given, was seconded by Canon Morris, and supported by many members, and carried unanimously : it was thought that the object desired by Mr. Gerish might in this manner be achieved.

> "That where Archæological Societies representing counties have libraries, Government be asked to supply copies of the Record Office publications on condition that such libraries are maintained in an efficient and proper manner."

Mr. Johnston drew attention to action lately taken in the Diocese of Chichester, in consequence of which the Bishop had appointed a standing committee of archæological experts to advise on all cases in which a faculty was applied for. He thought that action might profitably be taken by the Congress to promote the general formation of such Committees.

The meeting cordially agreed with this view, and the hour being late, asked Mr. Johnston to bring the matter forward at the next Congress.

On the motion of Dr. Gaster (Folk-lore Society), a vote of thanks was passed to the Chairman, and to the Society of Antiquaries for the use of the room.

RALPH NEVILL,
Hon. Secretary, 1909.

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